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Educational and Labour Migration Monitoring: Issuance of Residence Titles to Third-Country Nationals

Annual Report 2020

Johannes Graf



Forschung



Research Centre
Migration, Integration and Asylum

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Preface

The Research Centre of the Federal Office for Migration and Refugees has been documenting the issuance of residence permits in the context of educational and labour migration to Germany since 2012. This data was previously published in the 'Migration Monitoring', which became part of the 'Series of Reports on Migration and Integration' in 2019. The new 'Educational and Labour Migration Monitoring' is the successor to the Migration Monitoring in terms of content and takes its place in the reporting series.

With the entry into force of the Skilled Immigration Act on 1 March 2020 and the resulting new legal regulations within the framework of educational and labour migration, some changes in content and methodology in statistical reporting became necessary. These changes mean that **the statistics regarding the issuance of residence titles presented here are no longer comparable with the evaluations of the previous Migration Monitoring**. In order to avoid any erroneous conclusions, a complete reorientation of this publication has therefore been undertaken.

The new evaluation system is presented in detail in Chapter 1. The central changes concern the following points:

- This report no longer presents figures on total issues of residence permits. Instead, so-called first-time issues are considered. This means that, for example, extensions of residence titles are not included in the evaluations, which - depending on the respective titles - sometimes leads to a significant reduction in the number of cases. However, since extensions do not provide much information on the current migration situation, this measure makes the evaluations more precise in terms of content and gives them greater significance.
- The first-time issues are further subdivided into issues to persons who, according to the general data stock of the Central Register of Foreigners, did not previously hold a residence title and persons with a change of status. This replaces the evaluation by year of entry previously presented in the Migration Monitoring. Due to the increasing importance of visas with longer periods of validity, the number of persons for whom the year of entry and the year of issuance are different has risen. The new classification therefore again leads to more precise results.
- Since the logic of first-time issuance cannot be easily transferred to, for example, the asylum sector, only statistics related to educational and labour migration are presented in this report. For the other subject areas, reference is made to the respective publications of the Federal Office, such as 'Das Bundesamt in Zahlen', the official asylum statistics or the Migration Report of the Federal Government.
- Due to the lack of comparability of the evaluations before and after the entry into force of the Skilled Immigration Act, the statistics on issuance of residence titles in the main part of the report are only presented for the period March to December 2020. The allocations in the first two months of 2020 according to the previous evaluation logic of the Migration Monitoring can be found in an infobox at the beginning of the third chapter. Due to the reduced evaluation period in the first half of 2020, the publication of a semi-annual report was waived for one time. From the reporting year 2021 onwards, the evaluations will again be provided as usual in the form of a semi-annual and an annual report.

Summary

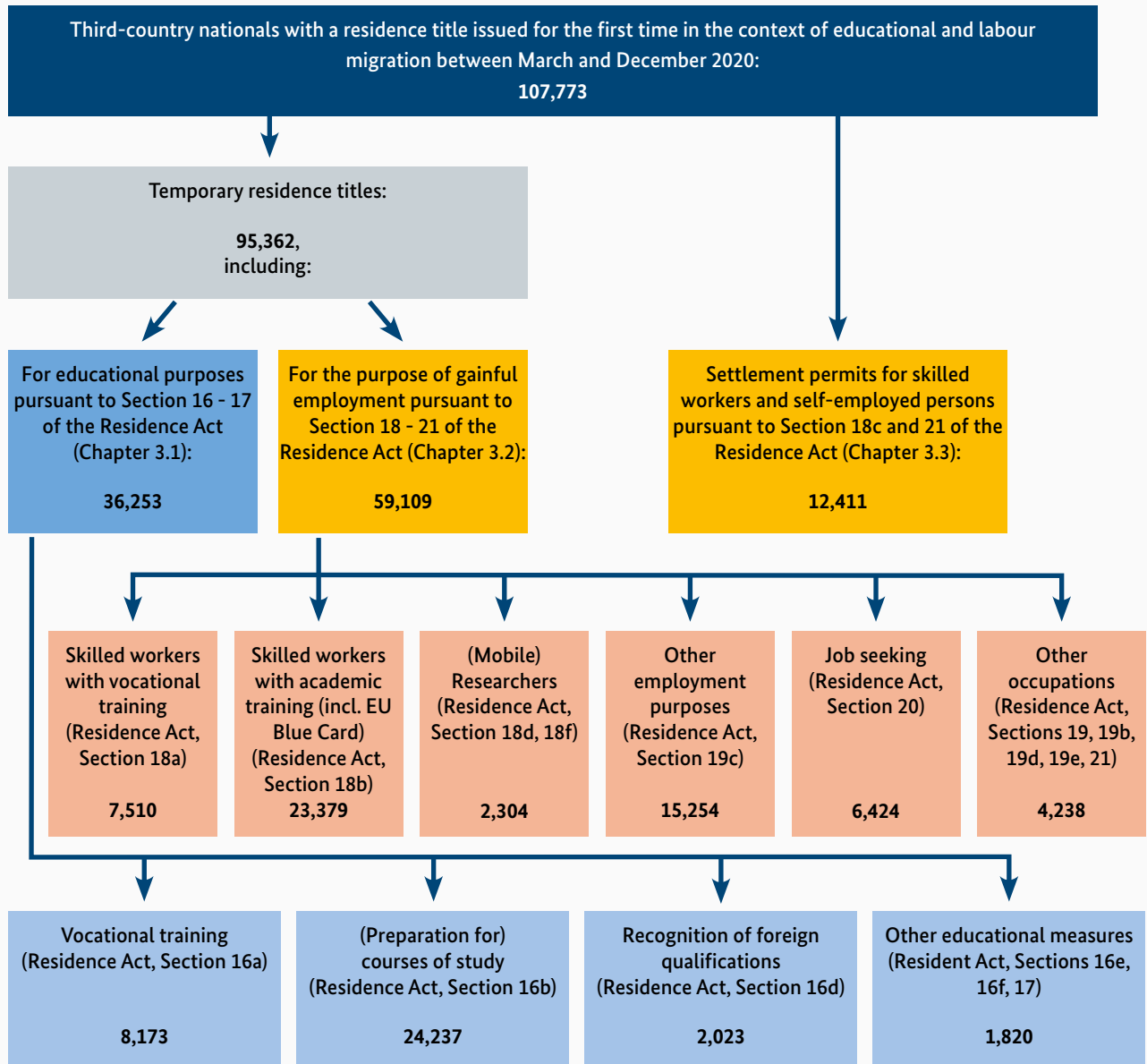
KEY TRENDS

- Since the entry into force of the Skilled Immigration Act in March 2020, more than 35,000 residence permits in the field of educational migration were issued for the first time by the end of 2020. In the context of labour migration, the number even exceeded 70,000 persons.
- The proportion of persons without a previous residence title was about two-thirds for educational migration and just under half for temporary labour migration titles. Despite pandemic-related restrictions, it was thus possible to realise a not inconsiderable number of issues to new immigrants within the framework of the new legal regulations.
- For educational migration, students accounted for the clear majority of the persons with first-time issuance of titles in the reporting period; for labour migration, the EU Blue Card and the so-called Western Balkans regulation were of particular importance. However, the newly introduced titles for academic and non-academic professionals were also able to establish themselves.
- India and China were the quantitatively most significant countries for educational migration in 2020, especially in the academic sector. For labour migration, India and Bosnia and Herzegovina were in the lead.
- While the number of educational migrants residing in Germany decreased (-7.6%), the number of persons residing in the context of labour migration increased slightly (+6.4%).

RELEVANT LEGAL AND POLITICAL DEVELOPMENTS IN THE YEAR UNDER REVIEW - CHAPTER 2

- On 1 March 2020, the Skilled Immigration Act came into force, which expanded the legal options for educational and labour migration of third-country nationals specifically with regard to non-academic skilled workers. Migration in the context of the search for a job or a training position was also made possible for these persons under certain conditions.
- However, the worldwide travel restrictions imposed in the context of the COVID-19 pandemic led to partially massive restrictions in the applicability of the new legal regulations.
- Due to the entry bans introduced in March 2020, immigration from third countries for the purpose of gainful employment was largely prevented until the beginning of July 2020. Since then, varying restrictions have applied, depending on the further course of the pandemic in the respective countries of origin, such as the spread of worrying virus variants.
- At the same time, public access to the German diplomatic missions abroad and the foreigners authorities in Germany was in some cases massively restricted or completely prevented, which had an impact on the issuing process of visas and residence permits.
- With the extension of the so-called Western Balkans regulation (Employment Ordinance, Section 26 (2)) until the end of 2023, immigration on the basis of this regulation was limited to 25,000 persons per year.
- The United Kingdom left the European Union on 31 January 2020. However, the freedom of movement regulations continued in the transitional period up to and including 31 December 2020, so that British nationals are not yet included in this report.
- The establishment of the Service Center for Professional Recognition in February 2020 and the Federal Office for Foreign Affairs in January 2021 aims to a further improvement of the counselling of migrants and the processing of visa procedures.

FIRST-TIME ISSUANCE OF RESIDENCE TITLES IN THE CONTEXT OF EDUCATIONAL AND LABOUR MIGRATION - CHAPTER 3



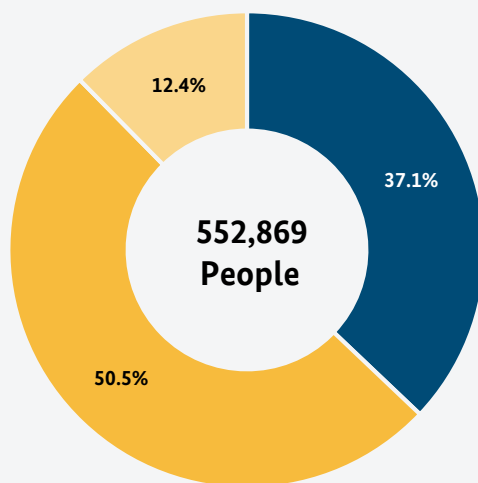
- Between March and December 2020, according to the Central Register of Foreigners, a total of more than 36,000 educational migrants and 71,000 labour migrants received a corresponding residence title for the first time. More than 12,000 of the latter were in the area of settlement permits for skilled workers and self-employed persons.
- Considering all persons who were granted a residence title for education or employment for the first time, about half of them did not have another residence title beforehand, which in most cases indicates recent immigration. The other half are persons with a change of status. The respective proportions differ in part very significantly between the different residence titles.

SELECTED CHANGES OF STATUS IN THE CONTEXT OF EDUCATIONAL AND LABOUR MIGRATION - CHAPTER 4

- Changes of status between different residence titles play a particularly important role in the transition from an educational measure to employment.
- While between March and December 2020 more than 20,000 persons changed from a residence permit for an educational measure to a title for job seeking or directly into employment, more than 4,000 persons also decided to change from an existing employment to a training measure.
- Another almost 9,000 persons changed from a residence title for educational and labour migration to a general settlement permit according to Sections 9 or 9a of the Residence Act or a residence title for family reasons.

RESIDENT THIRD-COUNTRY NATIONALS IN THE CONTEXT OF EDUCATIONAL AND LABOUR MIGRATION - CHAPTER 5

As of 31 December 2020, more than half a million third-country nationals were residing in Germany with a residence title in the context of educational or labour migration.



- Residence permits for education and training
- Residence permits for gainful employment
- Settlement permits for skilled workers and self-employed persons

- Persons with a title for educational purposes according to the new or the old version of the Residence Act (without titles for job seeking according to Residence Act, Section 16 - 17b old version) accounted for more than one third of the total group. The largest groups of educational migrants were nationals from China, India and Vietnam. About half of the total persons were under 26 years of age and half of them were female.
- Every fifth person residing in the context of labour migration (incl. titles for job seeking according to Residence Act, Sections 16 - 17b old version) already hold a permanent residence title. The largest groups of labour migrants were nationals from India, Bosnia and Herzegovina and China. Compared to educational migration, the total group is significantly older and also has a lower proportion of women.



THIRD-COUNTRY NATIONALS ON THE GERMAN LABOUR MARKET - CHAPTER 6

- The employment statistics of the Federal Employment Agency show that in September 2020, more than two million third-country nationals were in employment subject to social insurance contributions in Germany.
- Residence titles for educational and labour migration thus only partially reflect the importance of third-country nationals for the German labour market. This is due to the fact that immigrants with other residence titles, e.g. from the humanitarian sector or family reunification, also have access to gainful employment.
- More than a quarter of all employed third-country nationals had the Turkish citizenship. As the only one of the ten most common nationalities, this group showed a decreasing number of employees compared to the previous year. Other central nationalities were those of the eight quantitatively most significant countries of origin for asylum as well as the Western Balkans.
- The share of women in all employees subject to social insurance contributions from third countries was about one third and varied significantly between the different nationalities.
- Overall, the number of employed third-country nationals has increased by 3.7% compared to September 2019. Last year, the increase was still 9.8%, which suggests an effect of the COVID-19 pandemic. The increases in 2020 were particularly high for nationals from India (+10.8%) and Syria (+9.8%), for example.

1. Introduction and Database

The Research Centre of the Federal Office for Migration and Refugees (BAMF) focuses with the present monitoring, as part of its 'Series of Reports on Migration and Integration', on the area of educational and labour migration from outside the European Union (EU) (so-called third countries). The aim is to obtain information for the purpose of migration management and to provide qualified advice in the context of political decisions making. At the same time, the 'Educational and Labour Migration Monitoring' supports the work of academia and journalism and informs the public. For the conceptual differences to the previously published 'Migration Monitoring', please refer to the preface at the beginning of this publication.

This report is based on statistical evaluations from the Central Register of Foreigners (Ausländerzentralregister AZR), which are based on the residence titles issued by the German foreigners authorities. In the case of nationals of the EU, the European Economic Area (EEA) and Switzerland, who do not require such a residence title due to applicable rights of free movement, no differentiation can be made according to the purpose of residence. The immigration and residence of third-country nationals, on the other hand, can be differentiated on the basis of the individual legal bases according to immigration motives or purposes of residence.¹ The basis for this are the residence titles issued by the local foreigners authorities (residence and settlement permits as well as EU Blue Cards and (Mobile) ICT-Cards)², which are registered by them in the AZR. This report focuses on residence titles for the purpose of education (Residence Act, Sections 16-17) and gainful employment (Residence Act, Sections 18-21).

However, third-country nationals who want to work in Germany are not explicitly dependent on a residence title for the purpose of gainful employment. Unrestricted access to the labour market also exists, for example, for titles for family reunification. Most of the residence titles issued for reasons of international law or humanitarian and political reasons also entitle their holders to engage in gainful employment. The same applies to the pursuit of educational measures, such as taking up courses of study. The figures on

educational and labour migration presented in this report therefore do not represent the entire labour force potential of third-country nationals or their participation in the education system. In order to classify the significance of these migration groups for the German labour market, the general employment statistics of the Federal Employment Agency are also discussed at the end of the report.

Another large labour force potential results from the immigration of foreign nationals of EU member states. According to the AZR, approx. 90% of the EU nationals who moved to Germany in 2020 were of working age between 16 and 64. For this reason, another report by the Research Centre entitled 'Freedom of Movement Monitoring: Migration of EU Nationals to Germany' (Graf 2021) is published in parallel to the present monitoring. There, the AZR figures on immigration, emigration and residence of EU nationals in 2020 are presented in detail.

The data presented are always purely personal statistics. If a third-country national has received several residence titles within the reporting period, only the most recently issued title was considered when evaluating the data of the AZR. This prevents a person from being included in the statistics on the issuance of residence titles more than once. As a result, the number of titles issued shown here is lower than if every single title issued in the reporting period was considered.

Furthermore, the statistics on the issuance of residence titles are based on a three-month follow-on period up to 31 March 2021. This means that persons who received their title in the respective reporting period, but whose entry in the AZR was not made until the first quarter of 2021, are also included in the data. This increases the reliability of the data because longer processing times in the foreigners authorities are taken into account.

The statistics on first-time issuance of residence titles in the context of educational and labour migration presented in this report only consider titles that are issued by the German foreigners authorities after entry to Germany and are thus identifiable in the evaluable data stock of the AZR (i.e. without visas). Furthermore, the concept of first-time issuance does not consider issues of titles where the respective person was already in possession of the same residence title or an immediate predecessor title before the Skilled Immigration Act (FEG) came into force (i.e. issues without extensions). The number of first-time issues can then be

¹ However, as family members of the aforementioned nationals entitled to freedom of movement, they can also stay in Germany with a so-called (permanent) residence card.

² In the following, both EU Blue Cards and (Mobile) ICT-Cards will be subsumed under the term residence permit for better readability. In the same way, the EU permit for permanent residence (according to Residence Act, Section 9a) is also included under the term settlement permit.



further subdivided according to whether another residence title was previously registered for the respective person in the general data stock of the AZR ('first-time issuance with change of status') or whether there was no entry ('first-time issuance without previous title'). In general, the latter refers to changes from a visa or issues after visa-free entry. In individual cases, however, the list may also include persons who had previously resided in Germany (e.g. with a residence title that had already expired, a permission to remain pending the asylum decision or a temporal suspension of deportation).

Due to the evaluation logic underlying this report, the figures shown differ from those published, for example, in the Migration Report of the Federal Government or the BAMF publication 'Das Bundesamt in Zahlen'. While this report focuses on the period of issuance, i.e. only residence titles that were issued in the reporting period are considered, the two publications mentioned above focus primarily on the immigration period, i.e. all persons who entered the country in the reporting period are shown, regardless of whether they were issued a residence title in the respective year. Differences between these evaluation logics result, for example, from the fact that the regular visas for third-country nationals are valid for three months, which means that persons who entered the country towards the end of a reporting year often do not apply for their residence title until the first months of the following year. While the Migration Report or 'Das Bundesamt in Zahlen' already list these

persons in the year of their entry, in the present monitoring they are included in the next year under report. In this way, the statistics on immigration according to individual legal bases and those of the respective first-time issuance without prior residence titles systematically differ from each other. These differences are also amplified by the fact that visas with even longer periods of validity have gained in importance as a result of the FEG. Visas in the course of the fast-track procedure for skilled workers, for example, are issued for up to twelve months.

The following report first provides an overview of relevant political and legal changes in the reporting year in the field of educational and labour migration (Chapter 2). This is followed by a presentation of all third-country nationals who were granted a residence title for the first time in the context of educational and labour migration between March and December 2020. A differentiation can also be made according to the nationality, age and gender of the persons. Chapter 4 takes a closer look at certain forms of status changes, for example from an educational measure to gainful employment. After an analysis of third-country nationals residing in Germany for the purpose of education or employment at the end of the reporting period (Chapter 5), this publication concludes with an overview of the scope of total employment of third-country nationals subject to social insurance contributions on the German labour market based on the employment statistics of the Federal Employment Agency (Chapter 6).

2. Relevant Legal and Political Developments in the Year under Review

Events in the field of educational and labour migration were affected by partially massive changes in 2020. While on the one hand the FEG opened up new possibilities for legal entry to Germany in order to take up educational measures or gainful employment, the implementation of these new options was significantly limited by the measures to combat the COVID-19 pandemic.

The FEG, which was passed by the German parliament on 7 June 2019 as part of the Federal Government's skilled labour strategy, came into force as planned on 1 March 2020.³

One of the central changes introduced by the law is the abolition of the priority check for immigrants with qualified vocational training. An employment contract already concluded in Germany as well as the recognition of the qualification remain necessary preconditions for labour migration from third countries, but it is no longer necessary for the Federal Employment Agency to check whether the respective position could not also be filled by Germans or other EU nationals with equal status. However, this priority check can be reintroduced for certain professions or regions by ordinance at short notice. It also continues to apply, among other things, to the commencement of in-company vocational training. At the same time, the law also abolishes the preferential treatment of understaffed occupations in the immigration of non-academic skilled workers or its extensive limitation to this group.⁴ Outside of the EU Blue Card, however, skilled workers aged 45 and over must provide proof of a minimum salary⁵ or sufficient pension provision in addition to their employment contract. Specialists within the IT sector have the possibility to immigrate without professional qualifications if they have at least three years of professional experience in the last seven years, an employment contract with a minimum salary⁶ and sufficient knowledge of the German language.

In addition to these facilitations for immigration in the context of already established gainful employment, persons with recognised qualified vocational training are also given

the opportunity to enter Germany for a limited period of time to look for a job. Previously, this was only possible for university graduates. The prerequisites for this, however, are German language skills (usually level B1) and independent means of subsistence, as there is no entitlement to social benefits.

The fast-track procedure for skilled workers, which employers in Germany can initiate with a power of attorney of the foreign skilled worker at the competent foreigners authority for a fee of 411 euros, is intended to additionally promote the migration of skilled workers. In some federal states, these procedures are processed by central foreigners authorities.⁷

Changes in the context of educational migration concern, for example, proof of language skills specific to the course of study instead of a uniformly required language level for all stays for study purposes, a standardisation and – in some cases – expansion of the possibilities of changing from an educational migration title to other residence titles, as well as a facilitation of residence possibilities for the recognition of an already existing foreign professional qualification.

Furthermore, since the FEG came into force, it has also been possible to enter Germany without prior vocational qualification in order to look for a training position. However, this is subject to a number of preconditions, e.g. with regard to age, livelihood, existing language skills and graduation.

In the course of the introduction of the FEG, the Service Center for Professional Recognition (ZSBA) was also established, which began its work in February 2020. It serves as a central point of contact and advice for foreign professionals who want to have their professional qualifications recognised in Germany. The ZSBA advises on the entire recognition procedure and checks applications for completeness. However, it is not itself a competent body to make decisions on applications.

³ For a detailed account of the legal changes, see also Graf (2020).

⁴ See also: Graf/Heß (2020).

⁵ 55% of the annual contribution assessment ceiling in the statutory pension insurance (Residence Act, Section 18 (2) No. 5).

⁶ 60% of the annual contribution assessment ceiling in the statutory pension insurance (Employment Ordinance, Section 6).

⁷ As of the date of this report (end of July 2021), central offices for the implementation of the fast-track procedure for skilled workers have been established in Bavaria, Berlin, Brandenburg, Hamburg, North Rhine-Westphalia, Rhineland-Palatinate, Saarland and Schleswig-Holstein.

In addition, on 24 June 2020, the law establishing the Federal Office for Foreign Affairs (BfAA) in the Federal Foreign Office came into force.⁸ The Federal Office for Foreign Affairs began its work on 1 January 2021 with its headquarters in Brandenburg an der Havel and additional locations in Berlin and Bonn. In addition to general administrative activities and the administration of funding, its main tasks include supporting the diplomatic missions abroad in processing visa procedures, especially for skilled workers, trainees and students. In this way, the award procedures are to be centralised and accelerated, and the digitalisation of the procedures is to be advanced.

The so-called Western Balkans regulation (Employment Ordinance, Section 26 (2)), according to which third-country nationals from the Western Balkan states⁹ can immigrate to Germany for gainful employment regardless of their qualifications, was also extended. Here, too, however, the priority check continues to apply. The number of approvals by the Federal Employment Agency granted in this regard was also limited to 25,000 per year. After the Federal Council approved the Sixth Ordinance to Amend the Employment Ordinance on 9 October 2020, the extended regulation came into force on 1 January 2021 and applies up to and including the end of 2023.

The entry into force of the FEG in March 2020 was accompanied by an increasing intensification of the COVID-19 pandemic.¹⁰ In Germany, as in many other countries, increased internal and external border controls and extensive entry bans were introduced from 16 March 2020. Exceptions were made at the internal borders only for valid reasons for travel, e.g. for commuters or for the cross-border movement of goods and freight. The border controls introduced at the EU's internal borders were partially relaxed or reduced to random checks as of 15 May 2020. After a total of three months, from 15 June 2020, the free movement of persons in the Schengen area was restored. However, with regard to known risk areas, exemptions applied to certain states. For the entry of persons from third countries who themselves or their family members did not yet have a residence or long-term right of residence in the EU/Schengen area or the United Kingdom (UK), there was a gradual opening of entry possibilities. From 2 July 2020, the entry restrictions for individual third countries were lifted without restriction (so-called 'positive states'). Since then,

the list of states has been adapted to the current circumstances. In addition, exceptions to the entry restrictions were agreed, which allowed persons from states outside the 'positive list' to enter Germany if this was considered absolutely necessary. These included, for example, persons in health professions or in the transport sector, seasonal workers, entry by way of family reunification as well as visits for compelling family reasons or persons requiring international protection or protection for other humanitarian reasons. In cases of skilled workers beyond this, the respective employer had to confirm that the employment in Germany was economically necessary and that its exercise required a presence. With the increasing spread of virus mutations, so-called virus variant areas were also defined, for which increased entry restrictions applied. For third-country nationals without an already existing residence and a corresponding legal status in Germany, immigration from these states was only possible in selected special cases.

In addition, the COVID-19 pandemic also affected the functioning of the German diplomatic missions abroad as well as the domestic foreigners authorities. Depending on the course of the pandemic in the respective countries, the number of visitors to the diplomatic missions and consular posts abroad was sometimes very limited or even had to stop altogether. This led to considerable difficulties in the issuance of visas. Exceptions were made, for example, for health and care professions (Make it in Germany 2021). At the same time, the pandemic-related restrictions also had an impact on the working methods of the immigration authorities in Germany. Here, too, public access was at times severely limited or even completely suspended. This led to delays in the process of issuing residence titles, which was counteracted by the increased issuance of so-called 'Fiktionsbescheinigungen' to bridge the time until the actual title was granted (Destatis 2021).

Finally, the United Kingdom's exit from the EU also had an impact on migration to and from Germany. The UK officially left the EU on 31 January 2020. However, the withdrawal agreement signed on 24 January 2020 included a transitional phase until 31 December 2020, during which the UK remained part of the EU's single market and customs union. Due to these arrangements, the migration patterns of UK nationals in 2020 are considered in the Freedom of Movement Monitoring. While the withdrawal agreement regulates residence for persons who had exercised their right to freedom of movement by the end of the transitional period, UK nationals who have migrated or are migrating to Germany for the purpose of education or employment since 31 December 2020 will be treated in the same way as other

8 'Gesetz über die Errichtung eines Bundesamtes für Auswärtige Angelegenheiten und zur Änderung des Gesetzes über den Auswärtigen Dienst, des Aufenthaltsgesetzes und zur Anpassung anderer Gesetze an die Errichtung des Bundesamtes' as of 12/6/2020 (BGBl. I 2020: 1241).

9 Albania, Bosnia and Herzegovina, Kosovo, Montenegro, Northern Macedonia and Serbia.

10 The following statements are largely taken from Federal Ministry of the Interior, Building and Community/Federal Office for Migration and Refugees (2021: 35).

third-country nationals.¹¹ Thus, these persons will become part of the Educational and Labour Migration Monitoring from the (semi-)annual report 2021 onwards.

¹¹ For information on changes to the legal framework for British nationals, see also Federal Ministry of the Interior, Building and Community (2021).

3. First-Time Issuance of Residence Titles in the Context of Educational and Labour Migration

This chapter focuses on the number of third-country nationals who were granted a temporary residence title in the form of a residence permit (incl. EU Blue Card and (Mobile) ICT-Card) or an unlimited residence title in the form of a settlement permit (incl. EU permit for permanent residence) for the first time in Germany between March and December 2020. Thus, extensions of residence titles are not included in these figures. This also includes changes from titles from the Residence Act before the FEG came into force (o.v.) to equivalent titles afterwards (e.g. change from a residence permit for qualified employment according to Residence Act, Section 14 (2) o.v. to a residence permit according to Residence Act, Sections 18a or 18b (1)), which are interpreted as extensions. The total number of persons with initial permits can then be further divided into two

groups: Persons without a previous title¹² and persons with a change of status¹³ (see Chapter 1 for details).

The issuance figures of January and February 2020 are shown in the following infobox based on the previous evaluation logic of the Migration Monitoring.

- ¹² Issuances to persons for whom no valid residence title was previously recorded in the general data stock of the AZR. Mostly, these are changes from a visa and issues after visa-free entry. In individual cases, however, the data may also contain persons who were already in Germany before (e.g. with a residence title that has already expired, in an ongoing asylum procedure or with a temporal suspension of deportation).
- ¹³ Issued to persons who, according to the general data stock of the AZR, were directly previously in possession of another valid residence title (i.e. excl. visas; incl. (permanent) residence cards for family members of nationals of a Member State of the EU/EEA or Switzerland).

Infobox: Issuance figures January/February 2020 (evaluation logic of the Migration Monitoring):

The figures presented in this infobox correspond to the evaluation logic previously used in the Migration Monitoring. Therefore, the data are not comparable with the rest of the evaluations in this report. Due to the shortened

evaluation period, comparability with the (half-year) data for 2019 is also limited. For more information on the methodology used, see Graf (2020).

Table: Third-country nationals issued a residence permit for educational and labour migration purposes in January and February 2020

	Issues in January/February 2020 total	Issues following...	
		entry in 2020	entry before 2020
Residence permits according to Residence Act, Sections 16 to 21 o.v.	37,492	2,392	35,100
Education and training (Residence Act, Sections 16 to 17b o.v.)	17,197	818	16,379
Gainful employment (Residence Act, Sections 18 to 21 o.v.)	20,295	1,574	18,721
Settlement permits according to Residence Act, Sections 18 to 21 o.v.	3,154	5	3,149
Total	40,646	2,397	38,249

Source: AZR as of 31/03/2021

3.1 Residence Permits in the Context of Educational Migration

The Residence Act regulates the legal basis for educational migration to Germany in Sections 16 to 17. This includes opportunities to study at a German university or to prepare for a course of study (Section 16b), as well as opportunities for school-based or in-company vocational training (Section 16a). Furthermore, measures for the recognition of already existing foreign vocational qualifications are also included (Section 16d). In addition, there are options for an EU study-related internship (Section 16e), the attendance of a language course, a student exchange or, in special cases, regular school attendance (Section 16f).

With the entry into force of the FEG, all titles for job seeking, including those after a successful educational measure, were transferred to the area of labour migration (Resident Act, Section 20; see Chapter 3.2). So-called seeking titles that lead to an educational measure are, however, listed under Section 17 of the Residence Act. This includes both the previously existing title for applying to university and the new title for seeking a training position introduced by the FEG (see also Chapter 2).

Table 1 shows the number of third-country nationals who were granted a residence title for educational measures for the first time between March and December 2020, subdivided according to whether they were already in possession of another residence title beforehand. In total, over 36,000 persons were granted such a title in 2020. About two thirds of these were persons for whom no title had previously

been registered in the AZR and who can therefore generally be assumed to be recently migrated.

With almost 25,000 first-time issues, (prospective) students under Section 16b of the Residence Act make up by far the largest share. Among these, the proportion of persons without a previous title is significantly higher than for the other titles, at around three quarters. The central residence title for studies is the residence permit for full-time studies under Section 16b (1) of the Residence Act, which accounts for almost 90% of first-time issues. Just under one in ten (prospective) students received a title for a language course to prepare for studies without admission to studies in accordance with Section 16b (5) No. 2 of the Residence Act.

In addition to the persons shown in this table, there is another group of study-related educational migrants. Third-country nationals who hold a valid residence title from another EU Member State and wish to carry out part of their studies (up to 360 days) in Germany within the framework of short-term mobility do not require a special residence title in accordance with Section 16c of the Residence Act, but receive a certificate for entry and residence if they fulfil the necessary mobility conditions (such as proof that they can secure their livelihood). The BAMF issued 336 such certificates - minus extensions - from March to December 2020.

Persons with first-time issuance for vocational training pursuant to Section 16a of the Residence Act make up over a further fifth of the educational migrants with a issuance between March and December 2020. The majority of these are persons who previously held another title. Residence titles for school-based vocational training in accordance

Table 1: Third-country nationals with first-time issuance of a residence permit in the context of educational migration between March and December 2020, by legal basis and type of issuance

	With first-time issuance between March and December 2020 total	Thereof persons	
		without previous title	with change of status
Vocational training (Residence Act, Section 16a)	8,173	3,493	4,680
(Preparation for) course of study (Residence Act, Section 16b)	24,237	18,159	6,078
Recognition of foreign professional qualifications (Residence Act, Section 16d)	2,023	1,486	537
EU study-related internship (Residence Act, Section 16e)	108	91	17
School attendance (Resident Act, Section 16f)	1,508	1,214	294
Search for a training position and university application (Residence Act, Section 17)	204	50	154
Total	36,253	24,493	11,760

Source: AZR as of 31/03/2021

with Section 16a (2) of the Residence Act make up only a very small proportion (less than 5%) of the initial issues in accordance with Section 16a of the Residence Act. The clear majority are titles for in-company vocational training pursuant to Section 16a (1) of the Residence Act.

The other legal bases make up only about one tenth of the group of persons under consideration. Half of these are persons who have been granted a residence title for the first time for the recognition of a foreign vocational qualification in accordance with Section 16d of the Residence Act. When assessing the figures shown, it should be noted that residence permits for the purpose of applying for a university degree or seeking a training place in accordance with Section 17 of the Residence Act are titles for which it can be assumed that there is an increased probability that a change of status will take place within the same reporting period as the issuance or that the title will lose its validity if the search is unsuccessful. In order to ensure that each person is only included in the statistics once, only the most recent residence title of a person at the end of the reporting period is evaluated within the scope of the analyses presented here. If all persons who received a corresponding residence title in the reporting period were considered - irrespective of whether the title was still valid at the end of the reporting period or the person held another residence title in the meantime - the individual case numbers would be higher. Persons who received a seeking title in the reporting period and then directly changed to another title are included in

the set of changes of status with their most current title at the time of evaluation. In some cases, however, residence permits for search purposes are not issued to new arrivals at all. The persons stay in Germany during the search with the respective D visa and then directly receive the target title or leave again if the search is unsuccessful. They are then included in the first-time issues of the destination title without a previous title or are not included in the statistics at all.

In the following, we will take a closer look at the socio-demographic structure of the persons who were granted a title in the context of educational migration between March and December 2020 for the first time and who had not previously held a title. In order to be able to better assess potential changes in the composition of the overall group of educational migrants, which have resulted from developments in 2020, these persons in particular will be examined more closely in the following, as recent immigration can be assumed here. Otherwise, changes in the status of persons already resident would distort the picture. The persons without a previous title are then further subdivided into (prospective) students and other educational migrants.

If we look at the distribution of nationalities of educational migrants without a previous title, it is noticeable that this differs significantly between persons who entered the country to study or prepare for studies and the rest of the educational migrants (see Table 2). While persons from India

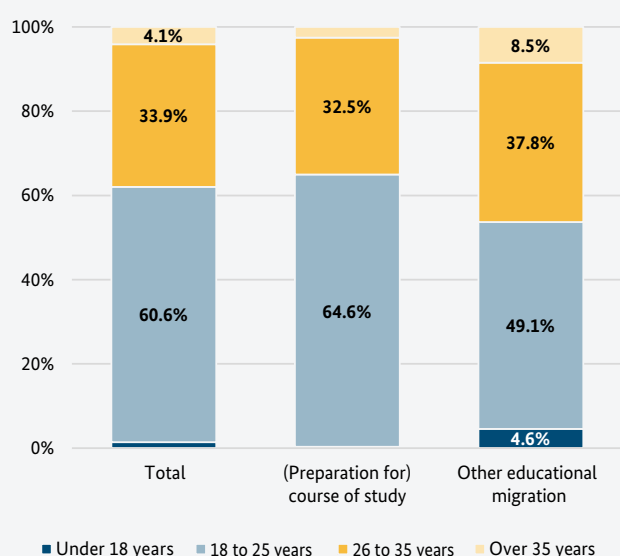
Table 2: Nationality of persons with first-time issuance of a residence permit in the context of educational migration between March and December 2020 without a previous title

Rank	Total		(Preparation for) course of study (Residence Act, Section 16b)		Other educational migration	
	Nationality	Share	Nationality	Share	Nationality	Share
1	India	15.7%	India	20.5%	Vietnam	21.6%
2	China	11.1%	China	13.7%	Philippines	5.5%
3	Vietnam	7.0%	Turkey	4.3%	Bosnia and Herzegovina	5.0%
4	Turkey	3.5%	Korea (Republic of)	3.7%	Serbia	4.8%
5	Korea (Republic of)	3.3%	Russian Federation	3.4%	Brazil	4.2%
6	USA	3.2%	USA	3.2%	China	3.5%
7	Russian Federation	2.9%	Iran	3.2%	Kosovo	3.3%
8	Brazil	2.8%	Pakistan	3.1%	USA	3.3%
9	Iran	2.7%	Morocco	2.6%	Tunisia	3.0%
10	Morocco	2.7%	Cameroon	2.5%	Morocco	3.0%
	Other third-country nationals	45.1%	Other third-country nationals	39.7%	Other third-country nationals	42.8%
	Total	24,493	Total	18,159	Total	6,334

Source: AZR as of 31/03/2021

represent by far the largest group for students, they are only in 14th place with regard to other educational migration. Likewise, China, the second most important country for student migration, is only in sixth place for other educational migration. In contrast, Vietnamese nationals, who – like India for students – make up more than a fifth of other educational migration, only account for just under 2% of students.

Figure 1: Age structure of third-country nationals with first-time issuance of a residence permit in the context of educational migration between March and December 2020 without a previous title



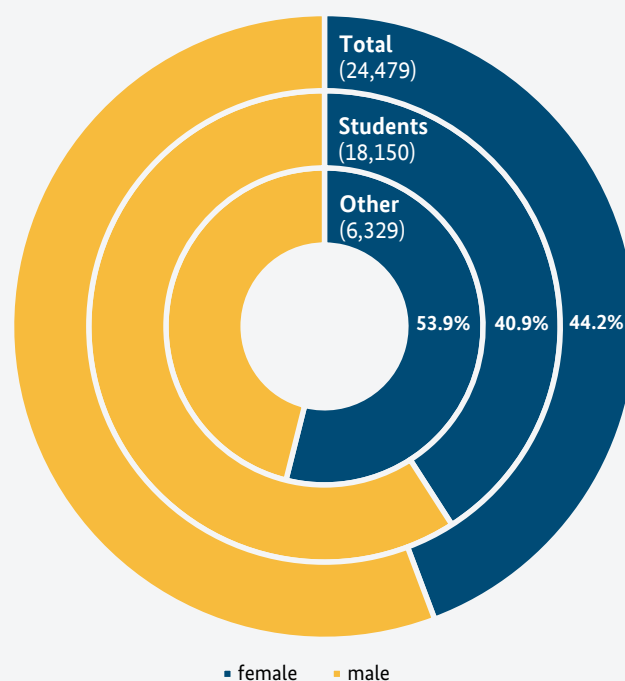
Source: AZR as of 31/03/2021

There are also clear differences in the age distribution between (prospective) students with first-time issuance of a residence permit and without a previous title and other educational migrants (see Figure 1). While almost two thirds of the students were between 18 and 25 years old, the proportion for other educational migrants was only slightly less than half. On the other hand, there were both more younger people and a significantly higher proportion of older people. However, even for other educational migration, those over 35 years of age, at less than one tenth, were only the exception.

Differences between the two forms of migration can also be identified with regard to gender distribution (see Figure 2). While the majority of (prospective) students without a previous residence title are male, the proportion of women in other forms of educational migration is just over half. Among the ten most common nationalities, men form the majority only for Kosovo and Tunisia. Among students, some quantitatively significant countries such as the Republic of Korea or the Russian Federation also have a majority of female migration in this area, with over two-thirds, but the

proportion of women among Indian nationals, for example, is only just under a quarter.

Figure 2: Gender structure of third-country nationals with first-time issuance of a residence permit issued in the context of educational migration between March and December 2020 without a previous title*



Source: AZR as of 31/03/2021

* Excl. 26 persons without indication of gender and two persons who are registered as diverse.

3.2 Residence Permits in the Context of Labour Migration

In the area of labour migration, there are numerous different options for obtaining a residence permit under the German residence law. These are regulated in Sections 18 to 21 of the Residence Act. Table 3 shows the number of persons who were granted such a permit for the first time between March and December 2020, again distinguishing between persons for whom no residence permit was previously registered in the AZR – and who are therefore assumed to be recent immigrants – as well as persons with a change of status.

Between March and December 2020, a total of almost 60,000 persons were granted a residence permit for the first time in the context of labour migration.

Regarding the total number of persons with first-time issuance in the reporting period, the EU Blue Card is the quantitatively most significant single title with over 15,000

Table 3: Third-country nationals with first-time issuance of a residence permit in the context of labour migration between March and December 2020, by legal basis and type of issuance

	With first-time issuance between March and December 2020 total	Thereof persons	
		without previous title	with change of status
Skilled worker with vocational training (Resident Act, Section 18a)	7,510	2,241	5,269
Skilled worker with academic training (Resident Act, Section 18b (1))	8,285	2,017	6,268
EU Blue Card (Resident Act, Section 18b (2))	15,094	6,751	8,343
(Mobile) researchers (Resident Act, Sections 18d and 18f)	2,304	1,354	950
(Mobile) ICT-Card (Resident Act, Sections 19 and 19b)	666	571	95
Other employment purposes; civil servants (Resident Act, Section 19c), of which	15,254	12,760	2,494
<i>Au pair</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 12)	830	802	28
<i>Voluntary service</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 14 (1) No. 1)	749	532	217
<i>Certain nationalities</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (1))	1,871	1,473	398
<i>Western Balkans regulation</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))	7,368	6,938	430
<i>Intergovernmental agreements</i> (Section 19c (1) in conjunction with Employment Ordinance, Section 29 (3))	602	514	88
<i>Distinct practical professional knowledge</i> (Section 19c (2))	688	193	495
Qualified persons with suspension of deportation (Resident Act, Section 19d)	1,701	1,643	58
European Voluntary Service (Resident Act, Section 19e)	203	55	148
Job seeking (Resident Act, Section 20), including	6,424	172	6,252
<i>for skilled workers with vocational training</i> (Section 20 (1))	44	6	38
<i>for skilled workers with academic training</i> (Section 20 (2))	521	97	424
<i>after course of study</i> (Section 20 (3) No. 1)	5,582	53	5,529
<i>after research activity</i> (Section 20 (3) No. 2)	72	4	68
<i>after vocational training</i> (Section 20 (3) No. 3)	152	5	147
<i>after recognition of a foreign professional qualification</i> (Section 20 (3) No. 4)	53	7	46
Self-employment (Resident Act, Section 21 (1), (2), (2a))	479	164	315
Freelancing (Resident Act, Section 21 (5))	1,128	594	534
Other residence permits	61	12	49
Total	59,109	28,334	30,775

Source: AZR as of 31/03/2021

persons. This corresponds to about a quarter of the total labour migration. The two residence permits for skilled workers with vocational training (Residence Act, Section 18a) and academic training (Section 18b (1)) are clearly behind with approx. 7,500 and 8,300 persons respectively.

Furthermore, Section 19c of the Residence Act is of great importance for the current extent of labour migration to Germany. With over 15,000 persons granted a residence title for the first time in the reporting period, another quarter of all labour migrants fall under this section. However, this involves a large number of individual legal bases. Section 19c (1) of the Residence Act includes all persons for whom the individual paragraphs of the Employment Ordinance or an intergovernmental agreement stipulate that a person may also receive a residence permit for gainful employment irrespective of a recognised qualification as a skilled worker. However, this also includes persons for whom a qualified activity can be assumed, such as executive employees under Section 3 of the Employment Ordinance or persons from science and research under Section 5, even if the qualification is not officially recognised in Germany in this case. Section 19c (1) of the Residence Act also covers the Western Balkans regulation (in conjunction with Section 26 (2) of the Employment Ordinance), which accounts for almost half of the first-time issues under Section 19c. In addition, Section 19c (2) of the Residence Act contains the new group of persons with pronounced practical vocational knowledge in the field of information and communication technology introduced by the FEG (see Chapter 2), which, however, only accounts for just under 700 persons with first-time issuance. Furthermore, Section 19c (3) and (4) of the Residence Act regulate employment in the public interest and by civil servants. Titles under these three paragraphs, however, account for only a small proportion of first-time issues under Section 19c, at around 7%.

When persons with a residence permit issued for the first time in the context of labour migration between March and December 2020 are considered as a whole, persons with a change of status form a slight majority. As with educational migration, however, the proportion varies considerably between the different residence titles. While the share of status changes for the new skilled worker titles introduced by the FEG (Residence Act, Sections 18a and 18b (1)) is over 70%, for the EU Blue Card this only accounts for slightly more than half. This contrasts with persons with titles issued for other employment purposes pursuant to Section 19c of the Residence Act, over 80% of whom had not previously held another title. Among persons who were granted a permit for the first time to look for a job, the share is as high as 97%. This is mainly due to the fact that persons who

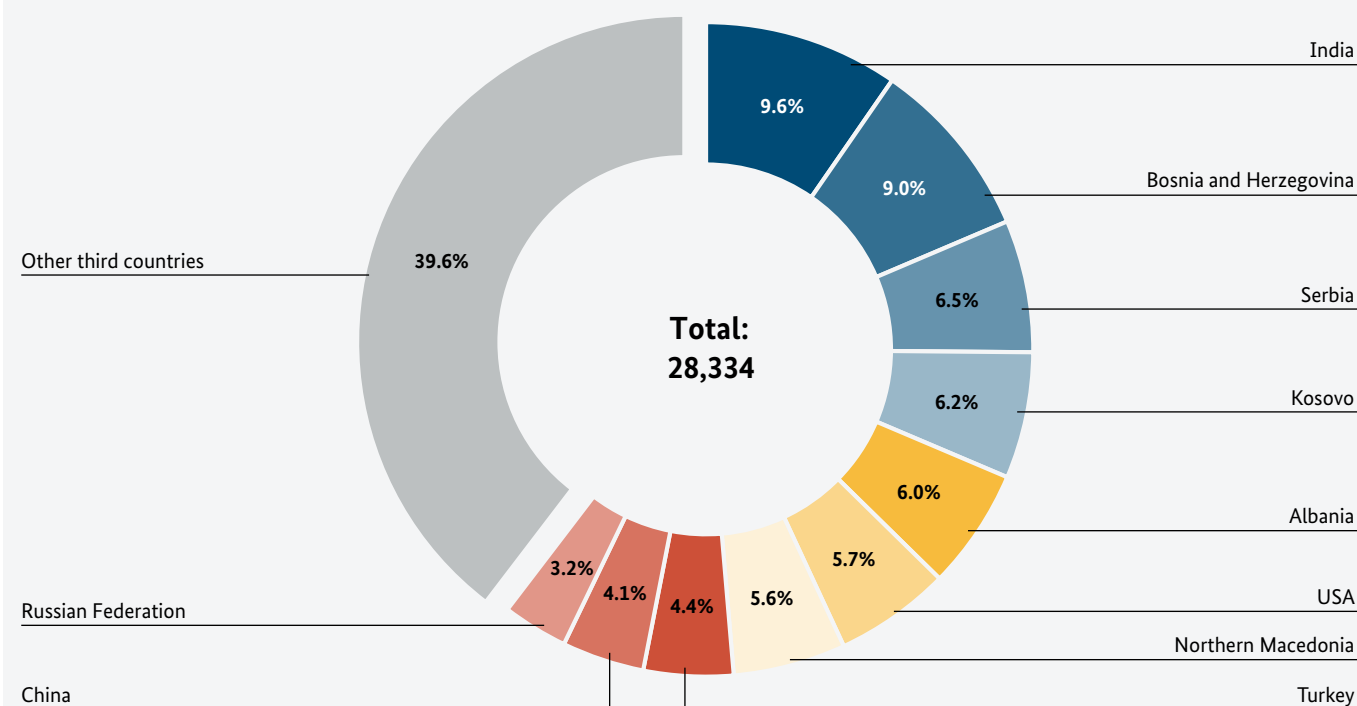
have previously resided in Germany (studies, research, training or qualification measures) account for over 90% of the total number of titles issued in this area. Here, however, it is important to note, especially for the titles of job seeking pursuant to Section 20 (1) and (2) of the Residence Act, that due to the evaluation logic, no persons are included in the issuance figures who changed to another title or left again during the reporting period.

Also, persons who enter Germany with a long-term visa (D visa) for such a job search are sometimes not granted any residence permits for the purpose of job seeking at all by the foreigners authorities. If the search is successful, there is a direct transition from the job-seeking visa to a title for subsequent employment; if the search is unsuccessful, the person leaves again. In both cases, no entry is made in the general data stock of the AZR for the job search. According to the visa statistics of the Federal Foreign Office, between March and December 2020, a total of 691 D visas were issued by German diplomatic missions abroad for the purpose of seeking employment (in accordance with Section 20 of the Residence Act). However, this figure includes both multiple issuances to the same person and issuances to persons who ultimately did not enter Germany at all.

In addition, in the area of labour migration, analogous to the regulations for students, there are possibilities for persons who hold a corresponding residence title in another EU member state to carry out short stays in the context of their work without a German residence title issued specifically for this purpose. However, the mobility certificates required instead for holders of ICT-Cards (according to Section 19a of the Residence Act) or researchers (according to Section 18e of the Residence Act) were newly issued by the BAMF in the period from March to December 2020 in only one and eight cases respectively.

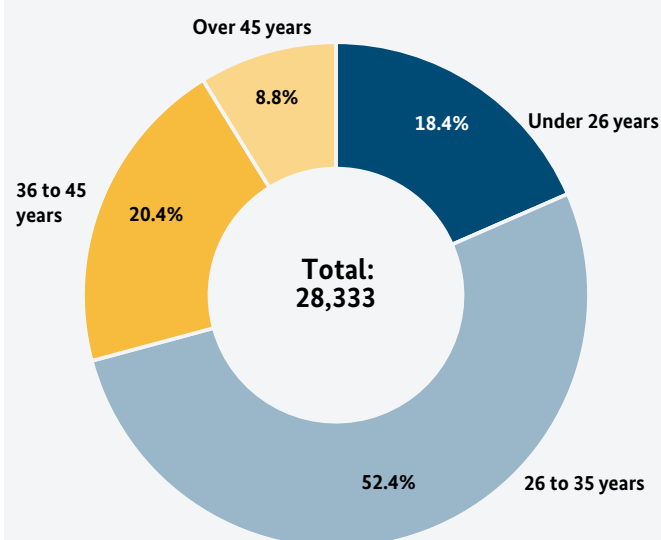
Figure 3 shows the most frequent nationalities of persons with first-time issuance of a title in the context of labour migration. As in the case of educational migration, only those persons are considered who did not previously hold a title and who can therefore be assumed to be recently migrated. In contrast to educational migration, however, there is no nationality that clearly dominates the picture. India and Bosnia and Herzegovina are the most common nationalities with almost 10% each, but they are followed by seven others with shares of 4% to 7%, including four other states of the Western Balkans (Serbia, Kosovo, Albania and Northern Macedonia). As will become clear in the following, the distribution of nationalities differs significantly, depending on which residence titles and thus which qualification requirements are considered.

Figure 3: Nationality of third-country nationals with first-time issuance of a residence permit in the context of labour migration between March and December 2020 without previous title



Source: AZR as of 31/03/2021

Figure 4: Age structure* of third-country nationals with first-time issuance of a residence permit in the context of labour migration between March and December 2020 without a previous title



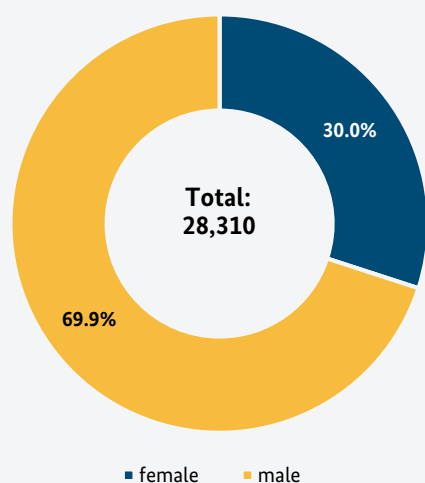
Source: AZR as of 31/03/2021

* For one person no age information is registered in the AZR.

Figures 4 and 5 provide an initial overview of the socio-demographic structure of recently arrived labour migrants. They are a relatively young and predominantly male group. While more than two thirds of the persons were 35 years old or younger at the time of the evaluation, not even every tenth person was over 45 years old. Moreover, only about every third person is female. If one takes a closer look at the female persons with first-time issuance and without a previous title, it becomes apparent that they were somewhat younger than the male persons. While around 80% of the women were under 35 years old, only about two thirds of the men were.

The age distribution also differs significantly in some cases with regard to nationality. For example, only 8% of the people from India were under 26 years of age, compared to one in five people from the Western Balkans. At the same time, a significantly larger proportion of people from the Western Balkans (12%) were over 45 years old than it was the case for India (approx. 2%). Both groups are also characterised by a very low proportion of women, only a quarter (India) and a fifth (Western Balkans).

Figure 5: Gender structure* of third-country nationals with first-time issuance of a residence permit in the context of labour migration between March and December 2020 without a previous title



Source: AZR as of 31/03/2021

* Excl. 23 persons without indication of gender and one person who is registered as diverse

3.2.1 Skilled Workers with Vocational Training (Residence Act, Section 18a)

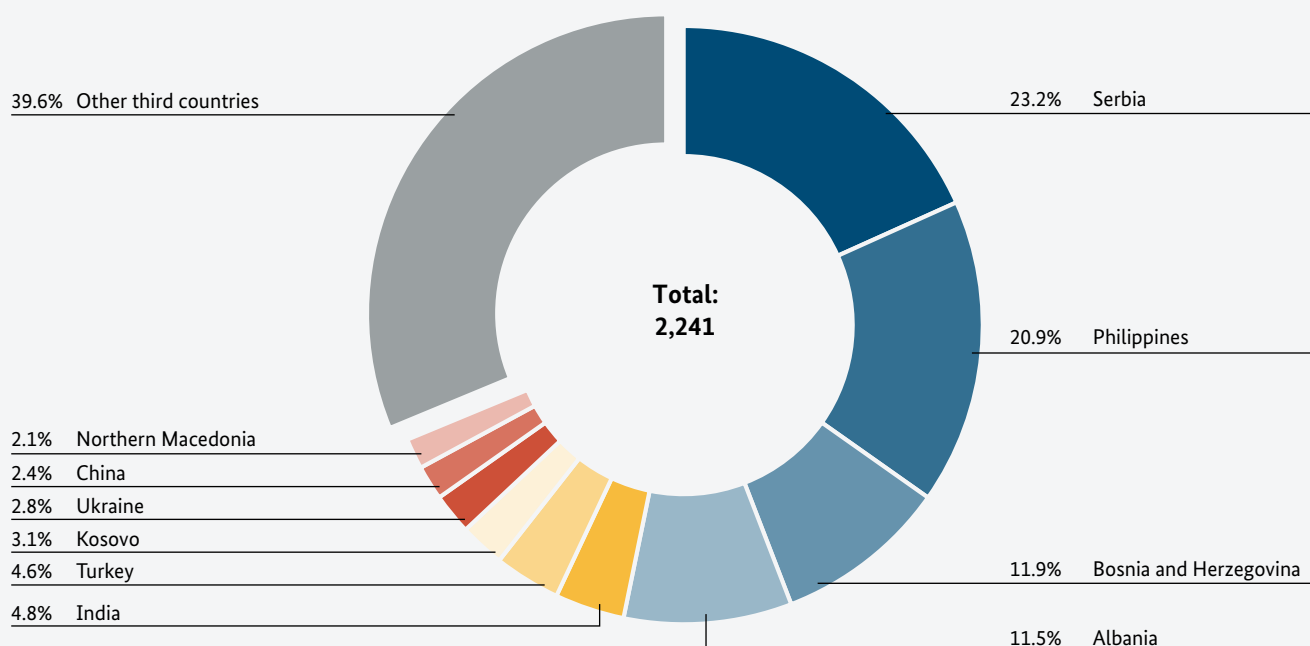
In the following, individual residence permits in the field of labour migration will be examined in more detail. As in the

case of educational and labour migration as a whole, the group of persons who were granted the respective title for the first time without a previous entry of another title will be evaluated according to nationality, age and gender.

The residence permit pursuant to Section 18a of the Residence Act offers the possibility of taking up gainful employment with vocational training officially recognised in Germany. Since March 2020, 2,241 persons who had not previously held another residence title in Germany have made use of this option (see Table 3). In terms of their socio-demographic structure, these persons differ significantly from the total number of labour migrants. Although five of the six Western Balkan states are included in the ten most common nationalities (see Figure 6), Serbia and the Philippines are two states that are clearly in first place. These two nationalities alone account for almost half of the group of persons under consideration.

In addition to nationalities, there are also differences in the age and gender distribution of skilled workers under Section 18a of the Residence Act compared to the overall group of labour migrants. The former are somewhat older - only about 13% were under 26 years of age, but 10% were over 45 years of age - and above all have a significantly higher proportion of women. At about 47%, there are almost as many women as men in this group, which, together with the high proportion of Filipino nationals (70% women), indicates a particular relevance of the care sector.

Figure 6: Nationality of third-country nationals with first-time issuance of a residence permit pursuant to Section 18a of the Residence Act between March and December 2020 without a previous title



Source: AZR as of 31/03/2021

3.2.2 Skilled Workers with Academic Training (Residence Act, Section 18b)

Two different titles for gainful employment have been available to officially recognized academic professionals since the FEG came into force. While the title under Section 18b (1) of the Residence Act is open to all persons with academic training in Germany if all other requirements are met, an additional minimum salary is required for the issuance of an EU Blue Card (Section 18b (2)).¹⁴

Table 4 shows the almost 9,000 persons who were granted one of the two residence permits under Section 18b of the Residence Act for the first time without a previous residence title, broken down by the ten most common nationalities. On the one hand, there are differences to the basic population and on the other hand, there are also differences between the two paragraphs of Section 18b.

As it is also the case for the figures regarding first-time issuance for all labour migration, Indian nationals form

the largest group for both Section 18b (1) and (2) of the Residence Act. For EU Blue Cards, however, the proportion is significantly higher than for the general title for skilled workers with academic training, at almost a quarter. Otherwise, eight out of ten of the most common nationalities for the entire Section 18b of the Residence Act are also found among the top 10 for the two individual residence titles. Compared to total labour migration, a lower significance of the states of the Western Balkans can be observed.

With regard to the age distribution, a lower proportion of persons under 26 years of age can be observed, which is again somewhat lower for the EU Blue Card than for the title pursuant to Section 18a (1) of the Residence Act (approx. 7% and 13% respectively). This can be attributed to the necessary requirement of having completed a course of study.

If we look at the proportion of female persons with first-time issuance of a residence title without a previous one, there is no great difference at the summarised level of Section 18b of the Residence Act compared to general labour migration (approx. 31% compared to 30%), but it varies greatly between the two sub-groups. While the proportion of women among persons granted a residence title under Section 18b (1) is significantly higher (approx. 42%) than for overall labour migration, it is relatively low (approx. 27%) among holders of an EU Blue Card.

¹⁴ The minimum salary (annual gross) in 2020 was 55,200 euros. Persons who do not reach this salary threshold can still obtain an EU Blue Card if they work in a so-called MINT occupation (mathematics, information technology, natural sciences and technology) or in human medicine (occupations for which there is a special need in Germany; so-called shortage occupations) and earned at least 43,056 euros (annual gross) in 2020 (cf. Resident Act, Section 18b (2)).

Table 4: Nationality of third-country nationals with first-time issuance of a residence title pursuant to Section 18b between March and December 2020 without a previous title

Rank	Total		Academic professional (Residence Act, Section 18b (1))		EU Blue Card (Residence Act, Section 18b (2))	
	Nationality	Share	Nationality	Share	Nationality	Share
1	India	20.7%	India	12.0%	India	23.3%
2	Turkey	8.0%	Iran	8.4%	Turkey	8.5%
3	Russian Federation	7.3%	China	6.4%	Russian Federation	7.6%
4	Iran	6.4%	Russian Federation	6.2%	Iran	5.8%
5	Ukraine	5.1%	Turkey	6.1%	Ukraine	4.9%
6	China	4.5%	Ukraine	5.9%	Brazil	4.3%
7	USA	4.1%	USA	5.2%	China	4.0%
8	Brazil	3.9%	Bosnia and Herzegovina	3.4%	USA	3.8%
9	Egypt	3.3%	Serbia	3.1%	Egypt	3.6%
10	Serbia	2.9%	Kosovo	2.4%	Serbia	2.9%
	Other third-country nationals	33.7%	Other third-country nationals	41.0%	Other third-country nationals	31.2%
Total		8,768	Total	2,017	Total	6,751

Source: AZR as of 31/03/2021

3.2.3 Western Balkans Regulation

Another group that is extremely relevant for labour migration are the persons who come to Germany within the framework of the so-called Western Balkans regulation according to Section 19c of the Residence Act in conjunction with Section 26 (2) of the Employment Ordinance.

Table 3 shows that the number of persons who were granted such a residence title for the first time between March and December 2020 without a previous title was approximately the same as for the EU Blue Card, at around 6,900. In contrast to the general skilled workers' titles under Sections 18a and 18b of the Residence Act, these persons do not require proof of a professional qualification. However, for their employment in Germany, approval must be obtained from the Federal Employment Agency within the framework of a priority check. As outlined in Chapter 2, the number of such approvals has been limited to 25,000 per calendar year from 2021 onwards.

Of the six Western Balkan states included in the regulation, most people come from Bosnia and Herzegovina, with over

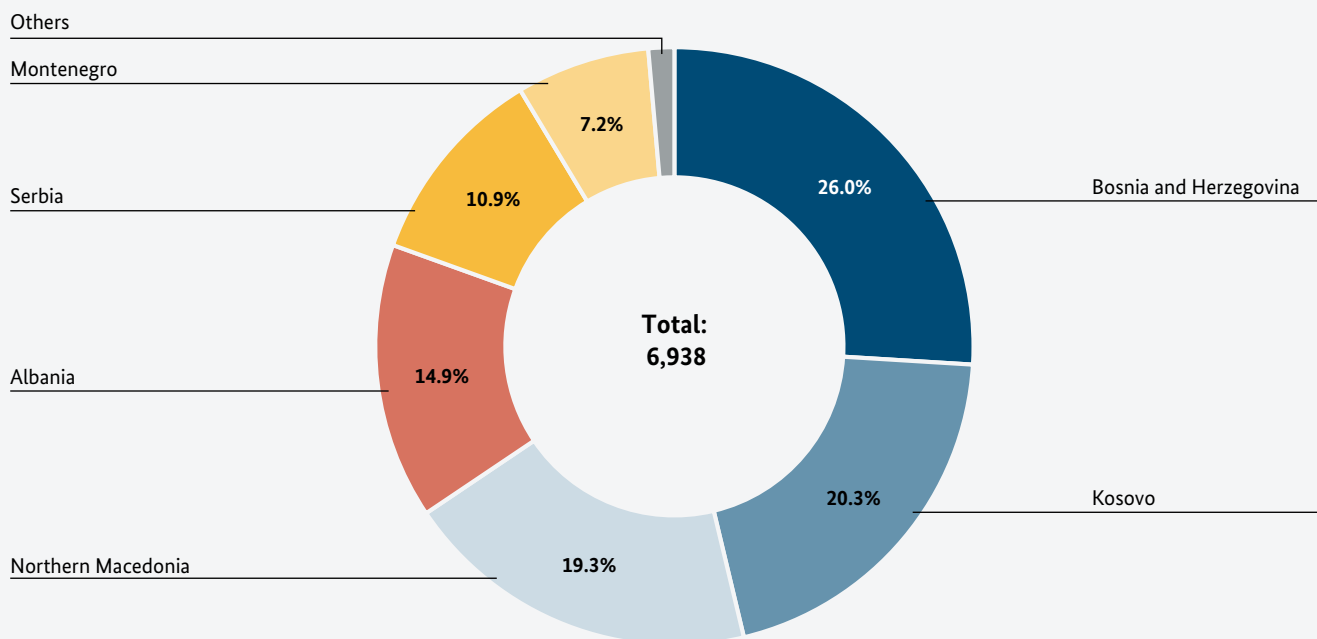
a quarter (see Figure 7). Montenegro is in last place with only about 7%.¹⁵

With regard to the age distribution, the picture is similar to that for Section 18a of the Residence Act. A slightly higher proportion of persons under 26 years of age (approx. 19%) contrasts with an equally higher proportion over 45 years of age (approx. 14%). The gender distribution for this group differs most clearly from the rest of labour migration. Of those considered under the Western Balkans regulation, only about 15% were female. However, the individual Western Balkan states differ greatly from each other in some cases. While Kosovo has the lowest proportion of women at around 5%, more than a quarter of the persons from Albania were female.

The other residence titles also offer interesting socio-demographic structural differences, which, however, cannot be dealt with in more detail in this report due to the large number of titles. In future reports, individual titles will be singled out and analysed in more detail depending on their numerical significance and current political relevance.

¹⁵ Other nationalities include outdated country designations such as "Serbia and Montenegro", which are either due to information provided some time ago or incorrect entries.

Figure 7: Nationality of third-country nationals with first-time issuance of a residence permit pursuant to the Western Balkans regulation between March and December 2020 without a previous title



Source: AZR as of 31/03/2021

3.3 Settlement Permits in the Context of Labour Migration

Since the FEG came into force, the central settlement permits for skilled workers in the context of gainful employment have been bundled in Section 18c (1) to (3) of the Residence Act. In addition, however, there is still the possibility of a settlement permit in the context of successful realisation of self-employment after three years (Section 21 (4)). As a rule, other migrant workers can make use of the possibility of a settlement permit under Section 9 of the Residence Act (see Chapter 4.4).

Table 5: Third-country nationals with first-time issuance of a settlement permit in the context of labour migration between March and December 2020, by legal basis

	With first-time issuance between March and December 2020 total
Skilled workers (Resident Act, Section 18c (1))	3,484
Holders of an EU Blue Card (Resident Act, Section 18c (2))	8,595
Particularly highly qualified skilled workers (Resident Act, Section 18c (3))	128
3 years of self-employment (Resident Act, Section 21 (4))	204
Total	12,411

Source: AZR as of 31/03/2021

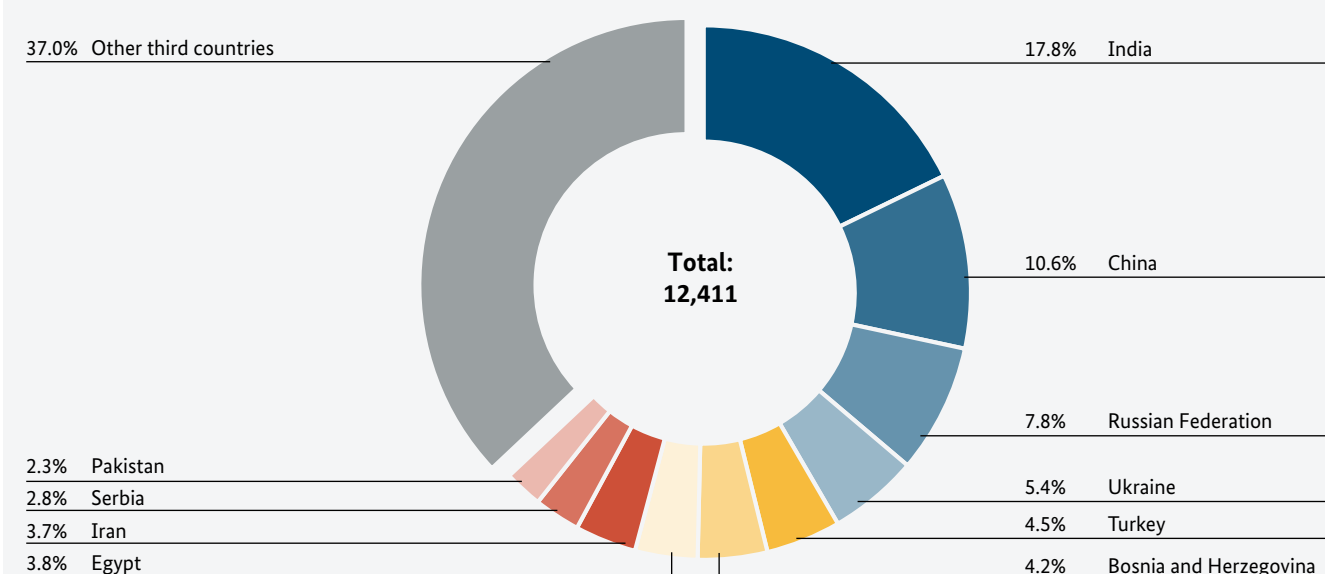
As Table 5 shows, between March and December 2020, around 12,500 persons were granted such a settlement permit for the first time in accordance with Sections 18c and 21 of the Residence Act. Almost all of these issues were changes of status (12,344 cases or 99.5%). Although a settlement permit pursuant to Section 18c (3) of the Residence Act can also be granted to highly qualified persons without prior residence in Germany in special cases, this only happened in eight cases last year according to the AZR.¹⁶

In relation to the total number of first-time issues, Section 18c (2) of the Residence Act for former holders of an EU Blue Card is the most frequent settlement permit in the context of labour migration. Almost 70% of the group of persons considered here received this title. In addition, the general settlement permit for skilled workers according to Section 18c (1) of the Residence Act is also of greater importance, with slightly more than a quarter of the persons. Settlement permits according to Sections 18c (3) and 21 (4) of the Resident Act were only granted to relatively few persons.

In contrast to the residence permits, the socio-demographic structure regarding settlement permits is shown for all persons who were granted a residence permit for the first time. This means that the evaluations also include persons with a change of status, as these are by far the most relevant for the changes in the total number of persons with a settlement permit.

¹⁶ In the case of all other first-time issues without a previous residence title, it must be assumed that previous stays already existed, but that the corresponding title had already been deleted from the AZR at the time of re-entry.

Figure 8: Nationality of third-country nationals with first-time issuance of a settlement permit in the context of labour migration between March and December 2020



Source: AZR as of 31/03/2021



Due to the high significance of the EU Blue Card for settlement permits in the context of labour migration and the general focus on academic labour migration prior to the entry into force of the FEG, respectively, there is a clear similarity to the distributions shown for Section 18b of the Residence Act with regard to nationalities: Eight of the ten most common nationalities are identical between these two groups (see Table 4 and Figure 8). The high proportion of Indian and Chinese nationals is also due to this.

With regard to the age distribution, for the same reasons, the proportion of people under 26 is very low at only one per cent. However, the group still does not present itself as particularly "old". The proportion of people over 45 years of age is also very low at about 5%. At over 70%, the majority of the people were between 26 and 35 years old. At around 34%, the proportion of women is close to that of academic labour migration under Section 18b of the Residence Act (around 31%).

4. Selected Changes of Status in the Context of Educational and Labour Migration

The evaluations presented in Tables 1 and 3 for persons who were granted a residence title for the first time in the reporting period distinguish between persons for whom no residence title had previously been registered in the AZR and persons for whom there was a change of status from another, already existing title. While Chapter 3 dealt in more detail with the socio-demographic structure of persons without a previous title, the following chapter takes a closer look at the changes between the individual title groups.

For this purpose particularly relevant types of status changes are dealt with in more detail. To this end, other residence rights outside of educational and labour migration, such as settlement permits according to Sections 9 and 9a of the Residence Act or (permanent) residence cards for family members of EU/EEA nationals without a corresponding nationality, will be considered in addition. Changes can occur both from the current legal basis and from the residence titles before the FEG came into force. Due to the number of potential possibilities, a precise presentation of all changes of status in the reporting period is not feasible and, due to the very small number of cases, not expedient.

4.1 Changes to Titles in Educational Migration

Of the approximately 36,000 persons who were granted a residence title for the first time in the context of educational migration between March and December 2020, just under one third already held a residence title in Germany (see Table 1). About half of these persons are divided into (prospective) students according to Section 16b of the Residence Act and other educational migrants.

Of the approximately 6,100 students with a change of status, three quarters already held a residence title for educational migration (see Table 6).¹⁷ The vast majority of these,

again around three quarters, were other study titles. These are mainly changes from a study preparation measure to a degree programme as well as changes between full- and part-time studies. Almost every fifth change from another educational title also came from the area of school-based or in-company vocational training.

Only about every fifth change of status to a study title came from the area of labour migration. The former residence permit for work without qualification requirements according to Section 18 (3) Residence Act o.v. is the most frequent initial title. The socio-demographic structure of these persons, as well as some changes that have already taken place from the successor titles according to Section 19c (1) of the Residence Act, which allow a more precise differentiation on the basis of the Employment Ordinance, suggest that these are mainly changes from an au pair activity or a voluntary service. This can be examined in more detail in the next reporting year on the basis of expanded figures pursuant to Section 19c (1) of the Residence Act. Changes from other parts of the Residence Act to educational migration titles are the exception, with not even 200 cases.

In the case of persons with a change of status to another title for educational migration, initial titles for labour migration form the majority (see Table 7). Here, too, changes from a title according to Section 18 (3) of the Residence Act o.v. are responsible for the clear majority.

With regard to the initial titles for educational migration, which represent only slightly more than 40% of the status changes in this area, the largest share is again in the area of student migration. The majority of these status changes of former (prospective) students resulted in a residence permit for in-company training in accordance with Section 16a (1) of the Residence Act.

¹⁷ While residence titles for job seeking after an educational measure were assigned to the area of "residence for training" in the version of the Residence Act in force before 1 March 2020 (o.v.), they have been included in the area of "residence for gainful employment" since 1 March 2020. For the sake of better comprehensibility, titles for job seeking that were granted under both the old and the new version are fully subsumed under the titles for gainful employment in this report.

Table 6: Third-country nationals with change of status to study titles (Residence Act, Section 16b) between March and December 2020

Previous right of residence	Number
Educational migration	4,621
Other study titles (Residence Act, Section 16 or Section 16 (1), (6) and (9) o.v.)	3,463
Application for course of study (Residence Act, Section 17 (2) or Section 16 (7) o.v.)	262
Vocational training (Residence Act, Section 16a or Sections 16b (1) and 17 (1) o.v.)	832
Other titles for educational migration	64
Labour migration	1,281
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	496
Qualified employment (Residence Act, Section 18 (4) o.v.)	216
Job seeking (Residence Act, Section 20 or Sections 16 (5) and 16b (3) o.v.)	339
Researchers (Residence Act, Section 18d or Section 20 o.v.)	61
Other titles for labour migration	169
Other residence titles	176
Total	6,078

Source: AZR as of 31/03/2021

Table 7: Third-country nationals with change of status to other residence titles for educational migration (Residence Act, Sections 16a, 16d, 16e, 16f, 17) between March and December 2020

Previous right of residence	Number
Educational migration	2,355
Course of study (Residence Act, Section 16b or Section 16 (1), (6) and (9) o.v.)	1,433
Vocational training (Residence Act, Section 16a or Sections 16b (1) and 17 (1) o.v.)	666
Other titles for educational migration	256
Labour migration	3,115
Employment without qualification requirements (Residence Act, Section 18 (3) o.v.)	2,351
Qualified employment (Residence Act, Section 18 (4) o.v.)	198
European voluntary service (Residence Act, Section 19e or Section 18d o.v.)	139
Other employment purposes (Residence Act, Section 19c (1) - (3))	319
Other titles for labour migration	108
Other residence titles	212
Total	5,682

Source: AZR as of 31/03/2021

4.2 Changes from Education to Job Seeking and Employment

After completing studies, training or a recognition measure, a residence title can usually be applied for in order to look for a job or directly for a follow-up job corresponding to the qualification. Under certain circumstances, however, it is also possible to change from a discontinued educational measure to gainful employment (e.g. if there is already another professional qualification for a job as a skilled worker).

Between March and December 2020, almost 19,000 persons changed directly from a residence title in the context of educational migration to a residence permit for gainful employment or job seeking (see Table 8). Persons who first changed from an educational measure to a title for a job search and then directly on to gainful employment in the reporting period are listed in these statistics exclusively on the basis of these two titles as a change of status from job seeking to gainful employment (see Table 9).

Table 8: Third-country nationals with change of status from educational migration* to residence permits for labour migration between March and December 2020

Current right of residence	Change from		Total
	studies (Resident Act, Section 16 or Section 16 (1), (6) and (9) o.v.)	other educational migration	
Skilled worker with vocational training (Residence Act, Section 18a)	59	4,016	4,075
Skilled worker with academic training (Residence Act, Section 18b (1))	3,059	350	3,409
EU Blue Card (Residence Act, Section 18b (2))	2,980	898	3,878
Researcher (Residence Act, Section 18d)	455	18	473
Other employment purposes (Residence Act, Section 19c (1) - (3))	351	434	785
Self-employment and freelancing (Resident Act, Section 21)	158	41	199
Job seeking (Resident Act, Section 20)	5,730	161	5,891
Other residence permits for labour migration	26	14	40
Total	12,818	5,932	18,750

Source: AZR as of 31/03/2021

* without titles to seek employment pursuant to Resident Act, Sections 16 (5), 16b (3), 17 (3) and 17a (4) o.v.

Of the status changes from educational to labour migration considered here, about two-thirds led to a title to search for a job according to Section 20 of the Residence Act. However, these are almost exclusively former students. A similar proportion of these also changed directly to the two residence permits for skilled workers with higher education pursuant to Section 18b (1) and (2) of the Residence Act. By contrast, about two thirds of former holders of other educational migration titles switched directly to a title for skilled workers with vocational training under Section 18a of the Residence Act.

4.3 Changes from Job Seeking to Employment

Changes of status from an educational measure according to Sections 16 to 17 of the Residence Act to labour migration according to Sections 18 to 21 can lead to a residence title for job search according to Section 20 (3). Since the FEG came into force, Section 20 (1) and (2) of the Residence Act have also made it possible for persons who have already completed academic or non-academic training to enter Germany directly from abroad to look for a job. Previously, this was only possible for persons with a university degree under the former Section 18c of the Residence Act o.v.

Between March and December 2020, however, status changes from job seeking to employment were not as frequent as direct changes from an educational measure to employment (cf. Chapter 4.2), with less than 4,000 persons. The overwhelming majority were changes from a title to a job search after a course of study or a research activity, with almost 90% of the persons in this area. These changes resulted primarily in titles for skilled workers with higher education pursuant to Section 18b (1) of the Residence Act, and less frequently in an EU Blue Card.

4.4 Changes from Education or Employment to Other Residence Titles

Persons who hold a title for training or gainful employment can, in principle, change to another right of residence if they are entitled to it and, for example, hope to gain legal advantages for themselves or their family members. It has been particularly common to change from a title for gainful employment to a general settlement permit pursuant to Section 9 of the Residence Act or the EU permit for permanent residence pursuant to Section 9a of the Residence Act, as soon as the basis for entitlement had been reached

Table 9: Third-country nationals with a change of status from a job seeking title to another residence permit for labour migration between March and December 2020

Current right of residence	Change from job seeking title				Total
	for skilled workers with vocational training (Resident Act, Section 20 (1))	for professionals with academic training (Resident Act, Section 20 (2) or Section 18c o.v.)	after studies/research activities (Resident Act, Section 20 (3) No. 1 and 2 or Sections 16 (5) and 20 (7) o.v.)	after training/reco- gnition measure (Resident Act, Section 20 (3) No. 3 and 4 or Section 16b (3), 17 (3), 17a (4) o.v.)	
Skilled worker with vocational training (Resident Act, Section 18a)	11	2	20	143	176
Skilled worker with academic training (Resident Act, Section 18b (1))	5	85	1,937	18	2,045
EU Blue Card (Resident Act, Section 18b (2))	3	97	928	40	1,068
Researchers (Resident Act, Section 18d)	-	5	93	-	98
Self-employment and freelancing (Resident Act, Section 21)	-	21	210	5	236
Other residence permits for the purpose of gainful employment	6	30	68	7	111
Total	25	240	3,256	213	3,734

Source: AZR as of 31/03/2021

with, among other things, at least five years of residence.¹⁸ Furthermore, there are frequent changes from the field of educational and labour migration to residence titles for family reasons according to Sections 28 to 36a of the Residence Act.

¹⁸ Stays for educational purposes are generally not considered here. Furthermore, it is not possible to change from a title pursuant to Section 19c (1) of the Residence Act in conjunction with section 26 (2) of the Employment Ordinance (Western Balkans Regulation) if the BA's approval on which the title is based was granted on the basis of the version of the Employment Ordinance in force since 1 January 2021 (Employment Ordinance, Section 26 (2)).

Between March and December 2020, approximately 2,500 persons changed directly from a residence title in the context of labour migration to a permanent title pursuant to Sections 9 or 9a of the Residence Act, with the former forming the majority with around 70% of the persons (see Table 10). Approximately two thirds of all changes were made from a former residence permit for qualified employment in accordance with Section 18 (4) of the Residence Act o.v.

More frequent than changes to settlement permits according to Sections 9 and 9a of the Residence Act were those to residence titles for family reasons (Sections 28 - 36a)

Table 10: Third-country nationals with a change of status from a residence title for labour migration (Residence Act, Section 18 - 21) to a permanent title according to Sections 9 and 9a of the Resident Act between March and December 2020

Previous right of residence	Current right of residence		Total
	Resident Act, Section 9	Resident Act, Section 9a	
Employment without qualification requirement (Resident Act, Section 18 (3) o.v.)	210	26	236
Qualified employment (Resident Act, Section 18 (4) o.v.)	1,340	375	1,715
(Former) holders of an EU Blue Card (Resident Act, Sections 18b (2) and 18c (2) or Section 19a o.v. in conjunction with Employment Ordinance, Section 2 and Section 19a (6) o.v.)	72	196	268
Self-employment or freelancing (Resident Act, Section 21)	78	56	134
Other residence permit for labour migration	81	76	157
Total	1,781	729	2,510

Source: AZR as of 31/03/2021

Table 11: Third-country nationals with a change of status from a residence title in the context of educational and labour migration (Resident Act, Sections 16 - 21) to a residence title for family reasons (Sections 28 - 36a) or a (permanent) residence card for relatives of EU/EEA nationals between March and December 2020

Current right of residence	Change from									Total
	studies (Resident Act, Section 16b or Section 16 (1), (6) and (9) o.v.)	vocational training (Resident Act, Section 16a or Sections 16b (1) and 17 (1) o.v.)	other educational migration	employment without qualification requirement (Resident Act, Section 18 (3) o.v.)	qualified employment (Resident Act, Section 18 (4) o.v.)	EU Blue Card (Resident Act, Section 18b (2) or Section 19a o.v. in conjunction with Employment Ordinance, Section 2)	job seeking after studies (Resident Act, Section 20 (3) No. 1 or Section 16 (5) o.v.)	self-employment and freelancing (Resident Act, Section 21)	other labour migration	
Spouses* of Germans (Resident Act, Section 28 (1) Cl. 1 No. 1)	1,192	514	41	305	370	53	176	93	106	2,850
Parent with custody to Germans (Resident Act, Section 28 (1) Cl. 1 No. 3)	273	124	5	118	141	16	20	29	27	753
Spouses* of a foreign person (Resident Act, Section 30)	702	164	38	194	256	92	146	22	93	1,707
Other residence titles for family reasons	39	21	2	14	28	5	2	41	17	169
(Permanent) residence card for relatives of EU/EEA nationals	191	71	6	129	149	22	29	33	35	665
Total	2,397	894	92	760	944	188	373	218	278	6,144

Source: AZR as of 31/03/2021

* This category also includes registered civil partnerships.

or (permanent) residence cards for relatives of EU/EEA nationals (see Table 11). These legal bases offer a right of residence that is independent of the educational measure or the employment, but at the same time usually entitles the holder to both.

More than 6,000 third-country nationals changed from a residence title for educational and labour migration to a family-related title in the reporting period. Only about 10% of these were relatives of EU/EEA nationals who had received (permanent) residence cards. The majority, more than 2,800 persons, were spouses of German nationals who received a corresponding title according to Section 28 (1)

Cl. 1 No. 1 of the Residence Act. In addition, about a quarter of the persons changed to a residence title for spouses of another foreign person.

More than half of these changes were made from a residence permit for studying or preparing to study or from a title for vocational training. These titles frequently include younger persons, which increases the probability of starting a family during the stay. Furthermore, there are also larger proportions of changes from qualified employment (Section 18 (4) of the Residence Act o.v.) or employment without qualification requirements (Section 18 (3) o.v.).

5. Resident Third-Country Nationals in the Context of Educational and Labour Migration

In the following chapter, the persons who received a residence title for the purpose of education or gainful employment in the reporting period are no longer considered. In order to be able to assess the significance of educational and labour migration to Germany for the current education and labour market, the number of third-country nationals who were in Germany with such a residence title at the end of the reporting period on 31 December 2020 is presented instead. Both persons who received a title according to the old regulations of the Residence Act and persons with titles that were newly added or changed by the FEG are considered. As in Chapter 4, all titles for job seeking are summarised in the field of labour migration, even if they came from the field of educational migration under the old regulations. The totals of persons residing in the two areas are thus no longer readily comparable with those from previous editions of the Migration Monitoring.

5.1 Educational Migration

As of the reporting date of 31 December 2020, a total of more than 200,000 third-country nationals were registered in the AZR who were residing in Germany with a residence title for educational purposes at that time (see Table 12 and Figure 9). This corresponds to a decrease of 16,879 persons or 7.6% compared to 31 December 2019.

With more than 80% of the resident holders, residence titles for (the preparation for) courses of study represented the most frequent basis for a stay of third-country nationals in Germany for educational purposes. The decline experienced by this group in comparison to the previous year roughly corresponds to the overall decline in the number of educational migrants residing in Germany. This decline can probably be attributed to the fact that last year, due to the pandemic, third-country nationals were generally only allowed to enter Germany to study if they were actually able to attend courses. However, this was only the case to a limited extent due to restrictions at the universities.

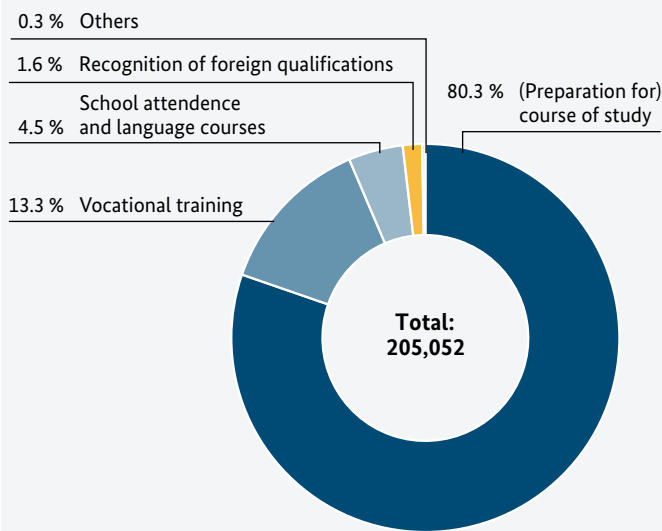
Table 12: Third-country nationals residing in Germany on 31 December 2020 with a residence title in the context of educational migration, by legal basis

Residence title	Number
In-company vocational training (Resident Act, Section 16a (1) or Section 17 (1) o.v.)	26,788
School-based vocational training (Resident Act, Section 16a (2))	472
Language courses, school attendance (Resident Act, Section 16f or Section 16b (1) o.v.)	9,315
(Preparation for) course of study (Resident Act, Section 16b or Section 16 (1), (6), (9) o.v.)	164,646
Application to study (Resident Act, Section 17 (2) or Section 16 (7) o.v.)	296
Measures for the recognition of foreign professional qualifications (Resident Act, Section 16d or Section 17a (1), (5) o.v.)	3,302
Search for a training position (Resident Act, Section 17 (1))	42
EU study-related internship (Resident Act, Section 16e or Section 17b o.v.)	191
Total	205,052

Source: AZR as of 31/12/2020

With a further 13%, persons with a stay for vocational training formed the next largest group, followed by language courses or school visits with less than 5%. The proportions roughly correspond to those presented in Chapter 3.1 with regard to persons who were granted a residence title for the first time in the context of educational migration and without a previous title.

Figure 9: Third-country nationals residing in Germany on 31 December 2020 with a residence title in the context of educational migration, by type of residence title



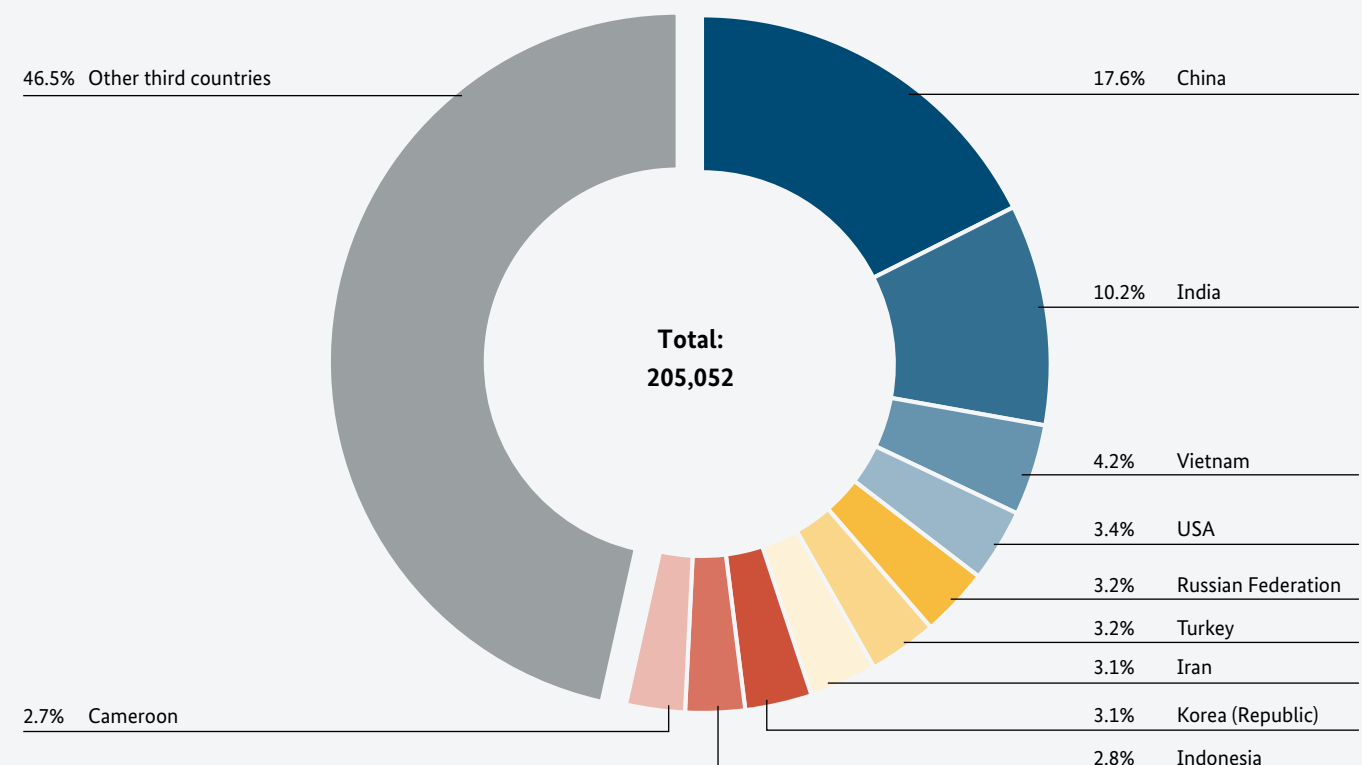
Source: AZR as of 31/12/2020

China is the most important country of origin in this area, accounting for approximately 18% of educational migrants from third countries residing in Germany. In addition, every tenth person has the Indian citizenship (see Figure 10). This

means that the proportions for these two countries are more or less reversed in comparison to persons who were granted a residence title for the first time in the reporting period without a previous title. In relation to all resident (prospective) students, Indian and Chinese nationalities account for almost every third nationality and in relation to other educational migration, not even every tenth. Here, Vietnamese nationals make up the largest group with over one tenth. In general, there is a higher degree of heterogeneity in terms of nationalities among other educational migrants.

With regard to the age structure, there are deviations from the persons who were granted a residence title for the first time in the reporting period without a previous residence title (see Figures 1 and 10). As was to be expected for persons who have been in Germany for a longer period of time, migrants with a residence permit are somewhat older. Those under 26 years of age make up slightly less than half of them, while the figure for those granted a residence permit was still around 60%. In both cases, however, more than 90% of the persons are between 18 and 35 years old. The gender ratio of 55% men and 45% women is very similar to that of persons granted a residence title for the first time in the reporting period without a previous residence title (44.2%).

Figure 10: Third-country nationals residing in Germany on 31 December 2020 with a residence title in the context of educational migration, by most common nationalities



Source: AZR as of 31/12/2020



5.2 Labour Migration

As of the reporting date of 31 December 2020, in addition to educational migrants, a total of approximately 350,000 third-country nationals were recorded in the AZR as residing in Germany holding a residence title for the purpose of gainful employment at that time (see Table 13). This means that the number has increased by approximately 20,000 persons or 6.4% since 31 December 2019. In contrast to educational migration, the number of persons residing in the context of labour migration has thus increased despite the pandemic-related restrictions. One possible explanatory factor is the fact that educational measures are always limited to a specific, sometimes very short period of time, while stays for gainful employment can potentially last longer and can also lead to corresponding settlement permits. In the case of educational migration, it can therefore be assumed - due to both departures and changes in status - that there will be a higher number of outflows from this area, which, with a simultaneous decline in immigration, will ultimately lead to a decrease in the number of persons residing in the country.

Table 13 shows all persons residing in the context of labour migration according to the different legal bases. Temporary titles make up the clear majority with a share of about 80%. Of central importance here are the former titles for employment without qualification requirements (Residence Act, Section 18 (3) o.v.; incl. a large proportion of the titles issued at that time under the Western Balkans regulation) and for qualified employment (Resident Act, Section 18 (4) o.v.), the EU Blue Card and the newly introduced title for other employment purposes (Resident Act, Section 19c (1) – (3)). In the latter, the so-called Western Balkan regulation (Employment Ordinance, Section 26 (2)) - analogous to the figures of first-time issuance without a previous title - accounts for more than half of the persons. It can be assumed, however, that in the future the proportion of the titles for skilled workers under Sections 18a and 18b (1) of the Residence Act will also increase. At the same time, the share of the old legal bases is likely to decline.

Just under 70,000 persons, and thus almost one fifth of the resident migrant workers, have a settlement permit based on (former) gainful employment. Former holders of an EU Blue Card (according to Resident Act, Section 18c (2) or Section 19a (6) o.v.) represent the largest group with about two thirds, followed by the former legal basis for graduates of German universities (according to Resident Act, Section 18b o.v.) with about 15,000 persons.

Due to the high number of newly introduced residence titles through the FEG and the great importance of old regulations for the persons residing, it is difficult to compare the values presented here with the initial figures regarding first-time issuance from Chapter 3. In both cases, however, the great importance of the EU Blue Card for labour migration to Germany is still evident.

The distribution of the most common nationalities also shows the importance of both the EU Blue Card and the Western Balkans regulation (see Figure 11). While India has the largest share of a single state with approx. 12%, more than a quarter of the resident labour migrants have the citizenship of a Western Balkan state. A comparison with the nationalities shown in Chapter 3.2 for all persons with first-time issuance of a residence permit for labour migration in the reporting period without a previous title shows a very similar structure. However, the proportion of Chinese nationals is significantly higher for the persons residing than it was for the persons with first-time issuance.

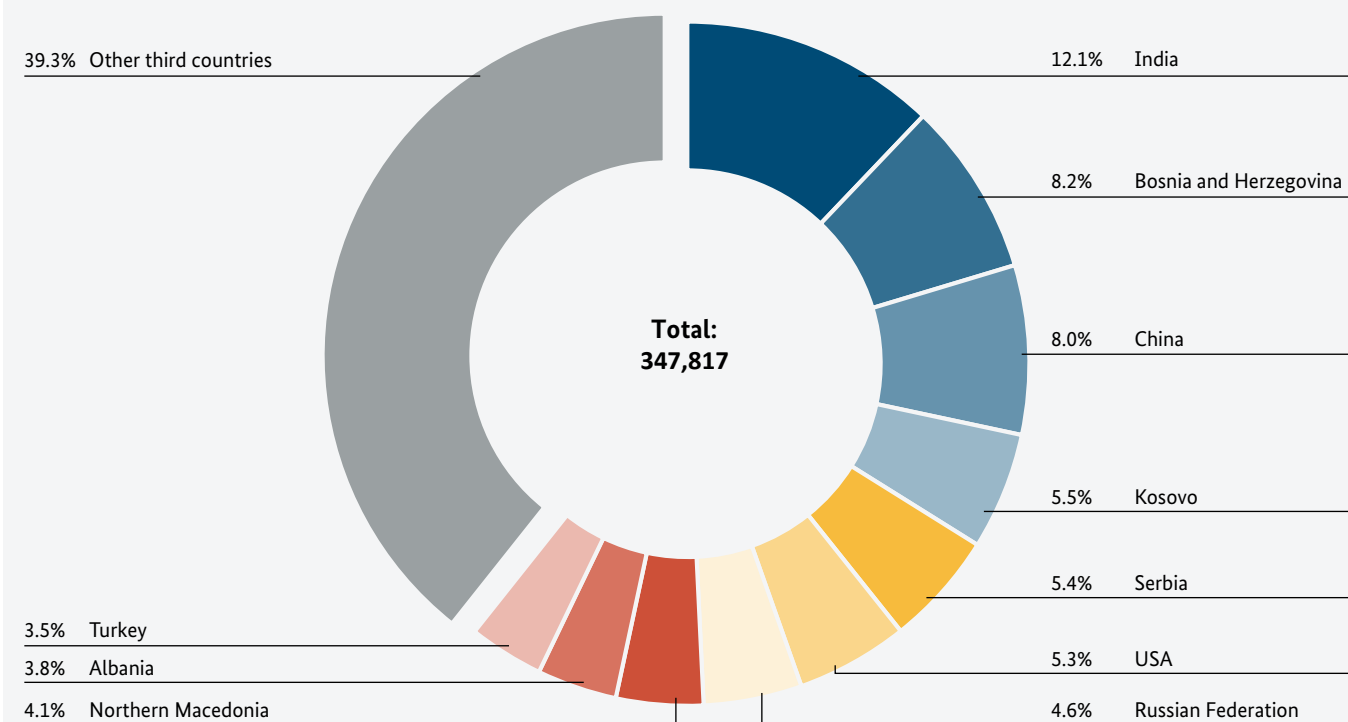
As expected, the age of the resident labour migrants differs somewhat from that of the persons with first-time issuance of a residence permit for gainful employment without a previous residence title. While the share of under 26-year-olds among all resident labour migrants is, at about 8%, significantly lower than that of the statistics on the issuance of residence permits (approx. 18%), all other age groups show slightly higher values. The proportion of over 35-year-olds is slightly higher at about 36% (compared to about 32%). The gender ratio is also similar to that among persons with first-time issuance of a residence permit in the reporting period (share of women approx. 30%), with a share of approx. 68% men and 32% women.

Table 13: Third-country nationals residing in Germany on 31 December 2020 with a residence title in the context of labour migration, by legal basis

Residence title	Number
Residence permits	279,451
Employment without qualification requirement (Residence Act, Section 18 (3) o.v.)	40,080
Qualified employment (Residence Act, Section 18 (4) o.v.)	68,175
Skilled worker with vocational training (Residence Act, Section 18a)	12,733
Skilled worker with academic training (Residence Act, Section 18b (1))	12,253
EU Blue Card (Residence Act, Section 18b (2) or Section 19a in conjunction with Employment Ordinance, Section 2 o.v.)	65,929
(Mobile) researchers (Residence Act, Sections 18d and 18f or Sections 20 (1), (8) and 20b (1) o.v.)	5,537
(Mobile) ICT-Card (Residence Act, Sections 19 and 19b or Sections 19b and 19d o.v.)	1,963
Other employment purposes (Residence Act, Section 19c (1), (2) and (3)), including	45,330
<i>Au pair (Section (1) in conjunction with Employment Ordinance, Section 12)</i>	1,273
<i>Voluntary service (Section (1) in conjunction with Employment Ordinance, Section 14 (1) No. 1)</i>	2,525
<i>Certain nationalities (Section (1) in conjunction with Employment Ordinance, Section 26 (1))</i>	4,643
<i>Western Balkans regulation (Section (1) in conjunction with Employment Ordinance, Section 26 (2))</i>	27,365
<i>Intergovernmental agreements (Section (1) in conjunction with Employment Ordinance, Section 29 (3))</i>	1,256
<i>Distinct practical professional knowledge (Section 19c (2))</i>	656
<i>Public interest (Section 19c (3))</i>	388
Civil servants (Residence Act, Section 19c (4) or Section 18 (4a) o.v.)	33
Qualified persons with suspension of deportation (Residence Act, Section 19d (1) and (1a) or Section 18a o.v.)	2,930
European voluntary service (Residence Act, Section 19e or Section 18d o.v.)	312
Job seeking, including	11,254
<i>for skilled workers with vocational training (Residence Act, Section 20 (1))</i>	73
<i>for skilled workers with academic training (Residence Act, Section 20 (2) or Section 18c o.v.)</i>	731
<i>after studies (Residence Act, Section 20 (3) No. 1 or Section 16 (5) o.v.)</i>	10,039
<i>after research activity (Residence Act, Section 20 (3) No. 2 or Section 20 (7) o.v.)</i>	79
<i>after vocational training (Residence Act, Section 20 (3) No. 3 or Sections 16b (3) and 17 (3) o.v.)</i>	259
<i>after recognition of foreign professional qualification (Residence Act, Section 20 (3) No. 4 or Section 17a (4) o.v.)</i>	73
Self-employment (Residence Act, Section 21 (1), (2), (2a))	3,221
Freelancing (Residence Act, Section 21 (5))	7,310
Other residence permits	2,391
Settlement permits	68,366
Skilled workers (Residence Act, Section 18c (1))	3,573
Holders of an EU Blue Card (Residence Act, Section 18c (2) or Section 19a (6) o.v.)	45,310
Particularly highly qualified skilled workers (Residence Act, Section 18c (3) or Section 19 o.v.)	2,435
Graduates of German universities (Residence Act, Section 18b o.v.)	14,675
3 years of self-employment (Residence Act, Section 21 (4))	2,373
Total labour migration:	347,817

Source: AZR as of 31/12/2020

Figure 11: Third-country nationals residing in Germany on 31 December 2020 with a residence title in the context of labour migration, by most common nationalities



Source: AZR as of 31/12/2020

6. Third-Country Nationals on the German Labour Market

The focus of this report is on the presentation of those migrants, whose stay in Germany is clearly definable according to the AZR as subject to the purpose of educational or labour migration. Therefore, in Chapter 5, only third-country nationals residing in Germany with a title specifically related to gainful employment were considered with regard to labour migration. Nevertheless, as described above, a large number of other residence titles also entitle people to work in Germany (e.g. titles for family or humanitarian reasons or settlement permits according to Resident Act, Sections 9 or 9a) Third-country nationals who hold a (permanent) residence card as relatives of EU/EEA citizens can usually work as well. The proportion of members of these groups who are actually active on the German labour market cannot be shown in more detail on the basis of the AZR data, as actual employment is not recorded.

In the following, therefore, based on statistics from the Federal Employment Agency, the general situation of third-country nationals on the German labour market is briefly outlined (Federal Employment Agency 2021). Table 14 shows the number of employed third-country nationals subject to social insurance contributions in Germany as of September 2020.¹⁹ Comparing these figures with those from Chapter 5.2, it is striking that the number of all third-country nationals subject to social insurance contributions in Germany is many times higher than the number of resident labour migrants. Although the latter, with a total of almost 350,000 persons, even includes those with self-employment and freelancing activities, the total number of third-country nationals employed in Germany subject to social insurance contributions is almost six times higher, at about two million. This represents an increase of about 70,000 persons or 3.7% compared to September 2019. In 2019, the increase was even significantly higher at 9.8%. An effect of the COVID-19 pandemic can be suspected at this point, but the increase was already declining in the previous year. A similar development can also be seen for EU nationals (Graf 2021).

However, employment of German nationals subject to social insurance contributions, and thus employment overall, actually fell by 0.8% and 0.4% respectively between Sep-

tember 2019 and September 2020 (previous year: +0.8% and +1.5%). However, the number of employees subject to social insurance contributions only represents one part of the labour market. At the same time, the figures also say nothing about the type and scope of employment. Initial analyses show that migrants – and especially refugees – are disproportionately affected by the effects of the Corona crisis on the German labour market (Brücker et al. 2021).

With regard to the main countries of origin, there are both similarities and differences to the evaluations on resident labour migrants (Figure 11). The two most common nationalities of all third-country nationals employed in the German labour market are Turkish and Syrian. Turkey, as the country of origin of a quarter of all persons, is clearly ahead of the other countries. Syria follows in second place with about 7%. While many Turkish nationals – mainly due to the recruitment of foreign workers and their families who moved to Germany in the last century – have been living in Germany for a long time on average or were even born here in the second or third generation, the Syrian employees are in all likelihood largely migrants from the refugee movements of recent years. This is also reflected in the clearly different rates of change. While the number of employees with Turkish citizenship was the only one of the ten most common countries of origin to actually decline slightly, employed Syrian nationals show the highest increase in absolute terms of over 12,500 persons. According to the AZR, Turkish nationals are increasingly to be found under settlement permits such as Section 9 of the Residence Act or titles for family reasons, even if a large proportion of them are originally former migrant workers or their relatives. Syrian nationals, on the other hand, are primarily covered by residence titles for humanitarian or family reasons.

The eight most important countries of origin for asylum as a whole play a significantly larger role in the total number of employed persons (approx. 19%) than in the number of persons residing in the context of labour migration (approx. 5%).

As in the case of labour migration, the Western Balkan states (together about 18%) and especially Bosnia and Herzegovina, Serbia and Kosovo are among the most important states in terms of employment. However, the Russian Federation also has a similarly high significance as these three

¹⁹ As there is a six-month waiting period for the data, the 2020 year-end figures cannot be used in this report.

states. India and China, which account for about one fifth of all residents in the context of labour migration, are only in eighth and twelfth place respectively in the overall consideration of the labour market, with a combined share of only 5% of all employees. However, India is the country with the highest percentage increase among the main countries of origin.

The ten most important countries of origin of employees subject to social insurance contributions also differ significantly in the proportion of female employment. The proportion of women from Syria and Afghanistan is particularly low at around 10%, while the majority of people from Ukraine and the Russian Federation are female.

The employment statistics show that the importance of the main countries of origin of labour migration for the entire labour market should not be underestimated. However, the number of labour migrants is still at a low level compared to other types of immigration, such as refugee-related migration or family reunification. It remains to be seen whether the new regulations of the FEG can change these proportions as the effects of the COVID-19 pandemic flatten out. Further reporting within the framework of the Educational and Labour Migration Monitoring will continue to analyse this.

Table 14: Third-country nationals with employment subject to social insurance contributions in Germany, by nationality (30/09/2020)

Nationality	Employees subject to social insurance contributions			Change compared to the same month of the previous year	
	Number	Share	Proportion of women	Absolute	Percentage
Total third-country nationals¹⁾	2,060,070	100.0%	34.8%	+72,664	+3.7
Main asylum countries²⁾	383,603	18.6%	14.3%	+26,868	+7.5
Western Balkans³⁾	371,586	18.0%	35.9%	+2,000	+5.7
Top 10 nationalities					
Turkey	533,573	25.9%	33.8%	-9,948	-1.8
Syria	142,144	6.9%	10.9%	+12,653	+9.8
Bosnia and Herzegovina	97,550	4.7%	40.9%	+4,853	+5.2
Russian Federation	90,457	4.4%	58.9%	+2,724	+3.1
Serbia	88,261	4.3%	40.4%	+2,841	+3.3
Kosovo	86,725	4.2%	27.5%	+4,580	+5.6
Afghanistan	68,851	3.3%	10.6%	+4,043	+6.2
India	66,241	3.2%	25.6%	+6,444	+10.8
Ukraine	51,214	2.5%	62.8%	+2,841	+5.9
Iraq	47,100	2.3%	16.8%	+2,000	+4.4
Other third-country nationals	787,954	38.2%	38.7%	+39,633	+5.3

¹⁾ Foreign nationals excluding persons from the EU (incl. the United Kingdom), the EEA and Switzerland but including stateless persons and those with unknown nationality.

²⁾ Afghanistan, Eritrea, Iraq, Iran, Nigeria, Pakistan, Somalia and Syria.

³⁾ Albania, Bosnia and Herzegovina, Kosovo, Northern Macedonia, Montenegro and Serbia.

Source: Federal Employment Agency (own calculation)

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Annex:

First-Time Issuance of Residence Titles in the Context of Educational and Labour Migration by Federal States

- Third-country nationals with first-time issuance of a residence permit between March and December 2020
 - Total number of persons
 - Persons without a previous residence title
 - Persons with change of status
- Third-country nationals with first-time issuance of a settlement permit between March and December 2020
 - Total number of persons

Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration between March and December 2020

Total number of persons

	Vocational training (Resident Act, Section 16a)	(Preparation for) course of study (Resident Act, Section 16b)	Recognition of foreign professional qualifications (Resident Act, Section 16d)	School attendance (Resident Act, Section 16f)	Other educational or training measures (Resident Act, Sections 16e and 17)	Educational migration	Skilled worker with vocational training (Resident Act, Section 18a)	Skilled worker with academic training (Resident Act, Section 18b (1))	EU Blue Card (Resident Act, Section 18b (2))	(Mobile) researchers (Resident Act, Sections 18d and 18f)	(Mobile) ICT-Card (Resident Act, Sections 19 and 19b)	Other employment purposes; civil servants (Resident Act, Section 19c)	<i>including Western Balkans regulation (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))</i>	Qualified persons with suspension of deportation (Resident Act, Section 19d)	Job seeking (Resident Act, Section 20)	Self-employment (Resident Act, Section 21 (1), (2), (2a))	Freelancing (Resident Act, Section 21 (5))	Other residence permits	Labour migration	Total
Baden-Württemberg	1,824	2,419	283	302	47	4,875	1,580	1,055	2,166	504	61	3,264	1,854	376	964	35	53	51	10,109	14,984
Bavaria	1,292	2,791	281	220	38	4,622	1,618	1,020	2,729	227	99	3,504	2,099	306	668	69	33	48	10,321	14,943
Berlin	555	4,868	70	314	19	5,826	485	1,667	3,236	382	48	1,428	264	61	1,602	97	867	11	9,884	15,710
Brandenburg	118	346	45	25	12	546	133	123	165	109	9	179	94	21	83	13	9	4	848	1,394
Bremen	71	620	28	17	4	740	52	110	123	13	2	96	42	2	155	16	6	6	581	1,321
Hamburg	267	629	54	43	15	1,008	220	337	550	65	23	380	107	46	213	24	15	9	1,882	2,890
Hesse	487	1,561	161	148	21	2,378	856	931	1,409	79	155	1,715	725	75	456	46	15	25	5,762	8,140
Lower Saxony	729	1,738	270	88	20	2,845	640	466	863	121	24	765	337	147	355	19	13	12	3,425	6,270
Mecklenburg-Western Pomerania	235	269	99	8	7	618	36	115	176	15	-	76	41	47	41	2	2	2	512	1,130
North Rhine-Westphalia	1,114	4,850	406	200	89	6,659	930	1,373	2,103	311	204	2,332	1,078	410	980	100	63	59	8,865	15,524
Rhineland-Palatinate	303	812	114	45	6	1,280	254	256	417	53	13	679	342	64	148	22	8	8	1,922	3,202
Saarland	58	122	9	6	4	199	32	48	77	9	3	50	23	1	27	3	3	3	256	455
Saxony	415	1,461	91	43	12	2,022	245	323	555	270	5	268	107	27	357	14	33	7	2,104	4,126
Saxony-Anhalt	230	821	10	11	6	1,078	79	157	173	38	6	123	79	19	120	4	2	7	728	1,806
Schleswig-Holstein	204	306	82	20	5	617	206	116	168	44	11	260	105	90	75	13	4	8	995	1,612
Thuringia	271	624	20	18	7	940	144	188	184	64	3	135	71	9	180	2	2	4	915	1,855
Total	8,173	24,237	2,023	1,508	312	36,253	7,510	8,285	15,094	2,304	666	15,254	7,368	1,701	6,424	479	1,128	264	59,109	95,362

Source: AZR as of 31/03/2021

Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration between March and December 2020
Persons without a previous residence title

	Vocational training (Residence Act, Section 16a)	(Preparation for) course of study (Residence Act, Section 16b)	Recognition of foreign professional qualifications (Residence Act, Section 16d)	School attendance (Resident Act, Section 16f)	Other educational or training measures (Resident Act, Sections 16e and 17)	Educational migration	Skilled worker with vocational training (Resident Act, Section 18a)	Skilled worker with academic training (Resident Act, Section 18b (1))	EU Blue Card (Resident Act, Section 18b (2))	(Mobile) researchers (Resident Act, Sections 18d and 18f)	(Mobile) ICT-Card (Resident Act, Sections 19 and 19b)	Other employment purposes; civil servants (Resident Act, Section 19c)	<i>including Western Balkans regulation (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))</i>	Qualified persons with suspension of deportation (Resident Act, Section 19d)	Job seeking (Resident Act, Section 20)	Self-employment (Resident Act, Section 21 (1), (2), (2a))	Freelancing (Resident Act, Section 21 (5))	Other residence permits	Labour migration	Total
Baden-Württemberg	590	1,888	172	269	21	2,940	326	259	796	304	51	2,836	1,765	372	12	9	19	7	4,991	7,931
Bavaria	567	1,987	193	157	21	2,925	465	263	1,250	127	85	2,972	1,936	300	19	21	23	11	5,536	8,461
Berlin	313	3,921	46	260	9	4,549	72	422	1,971	161	45	1,172	250	57	62	29	491	3	4,485	9,034
Brandenburg	53	251	37	21	-	362	57	21	61	57	8	147	91	20	3	4	3	1	382	744
Bremen	14	496	15	14	2	541	11	27	39	11	1	72	39	1	2	7	4	2	177	718
Hamburg	84	403	31	33	8	559	77	60	254	45	22	325	103	45	8	8	5	1	850	1,409
Hesse	127	1,096	118	94	11	1,446	452	196	591	52	124	1,441	696	72	15	17	6	3	2,969	4,415
Lower Saxony	292	1,247	212	75	13	1,839	176	137	297	65	18	632	313	137	10	6	6	4	1,488	3,327
Mecklenburg-Western Pomerania	187	212	96	6	3	504	8	39	82	12	-	65	40	44	1	-	-	2	253	757
North Rhine-Westphalia	395	3,413	295	155	29	4,287	333	335	798	218	180	1,874	1,003	390	23	40	20	16	4,227	8,514
Rhineland-Palatinate	100	628	84	40	2	854	99	78	172	35	10	541	337	63	5	14	2	2	1,021	1,875
Saarland	20	102	5	5	4	136	9	19	30	8	3	40	22	1	1	1	-	3	115	251
Saxony	264	1,139	84	40	11	1,538	38	64	213	150	5	229	102	26	5	4	14	4	752	2,290
Saxony-Anhalt	186	704	9	10	3	912	19	42	70	26	6	106	77	19	1	-	-	5	294	1,206
Schleswig-Holstein	93	214	73	18	1	399	59	26	64	35	10	197	96	87	2	3	1	3	487	886
Thuringia	208	458	16	17	3	702	40	29	63	48	3	111	68	9	3	1	-	-	307	1,009
Total	3,493	18,159	1,486	1,214	141	24,493	2,241	2,017	6,751	1,354	571	12,760	6,938	1,643	172	164	594	67	28,334	52,827

Source: AZR as of 31/03/2021

Third-country nationals with first-time issuance of a residence permit in the context of educational and labour migration between March and December 2020
Persons with change of status

	Vocational training (Residence Act, Section 16a)	(Preparation for) course of study (Residence Act, Section 16b)	Recognition of foreign professional qualifications (Residence Act, Section 16d)	School attendance (Resident Act, Section 16f)	Other educational or training measures (Resident Act, Sections 16e and 17)	Educational migration	Skilled worker with vocational training (Resident Act, Section 18a)	Skilled worker with academic training (Resident Act, Section 18b (1))	EU Blue Card (Resident Act, Section 18b (2))	(Mobile) researchers (Resident Act, Sections 18d and 18f)	(Mobile) ICT-Card (Resident Act, Sections 19 and 19b)	Other employment purposes; civil servants (Resident Act, Section 19c)	<i>including Western Balkans regulation (Section 19c (1) in conjunction with Employment Ordinance, Section 26 (2))</i>	Qualified persons with suspension of deportation (Resident Act, Section 19d)	Job seeking (Resident Act, Section 20)	Self-employment (Resident Act, Section 21 (1), (2), (2a))	Freelancing (Resident Act, Section 21 (5))	Other residence permits	Labour migration	Total
Baden-Württemberg	1,234	531	111	33	26	1,935	1,254	796	1,370	200	10	428	89	4	952	26	34	44	5,118	7,053
Bavaria	725	804	88	63	17	1,697	1,153	757	1,479	100	14	532	163	6	649	48	10	37	4,785	6,482
Berlin	242	947	24	54	10	1,277	413	1,245	1,265	221	3	256	14	4	1,540	68	376	8	5,399	6,676
Brandenburg	65	95	8	4	12	184	76	102	104	52	1	32	3	1	80	9	6	3	466	650
Bremen	57	124	13	3	2	199	41	83	84	2	1	24	3	1	153	9	2	4	404	603
Hamburg	183	226	23	10	7	449	143	277	296	20	1	55	4	1	205	16	10	8	1,032	1,481
Hesse	360	465	43	54	10	932	404	735	818	27	31	274	29	3	441	29	9	22	2,793	3,725
Lower Saxony	437	491	58	13	7	1,006	464	329	566	56	6	133	24	10	345	13	7	8	1,937	2,943
Mecklenburg-Western Pomerania	48	57	3	2	4	114	28	76	94	3	-	11	1	3	40	2	2	-	259	373
North Rhine-Westphalia	719	1,437	111	45	60	2,372	597	1,038	1,305	93	24	458	75	20	957	60	43	43	4,638	7,010
Rhineland-Palatinate	203	184	30	5	4	426	155	178	245	18	3	138	5	1	143	8	6	6	901	1,327
Saarland	38	20	4	1	-	63	23	29	47	1	-	10	1	-	26	2	3	-	141	204
Saxony	151	322	7	3	1	484	207	259	342	120	-	39	5	1	352	10	19	3	1,352	1,836
Saxony-Anhalt	44	117	1	1	3	166	60	115	103	12	-	17	2	-	119	4	2	2	434	600
Schleswig-Holstein	111	92	9	2	4	218	147	90	104	9	1	63	9	3	73	10	3	5	508	726
Thuringia	63	166	4	1	4	238	104	159	121	16	-	24	3	-	177	1	2	4	608	846
Total	4,680	6,078	537	294	171	11,760	5,269	6,268	8,343	950	95	2,494	430	58	6,252	315	534	197	30,775	42,535

Source: AZR as of 31/03/2021

Third-country nationals with first-time issuance of a settlement permit in the context of educational and labour migration between March and December 2020

Total number of persons

	Skilled workers (Resident Act, Section 18c (1))	Holders of an EU Blue Card (Resident Act, Section 18c (2))	Particularly highly qualified skilled workers (Resident Act, Section 18c (3))	3 years of self-employment (Resident Act, Section 21 (4))	Total
Baden-Württemberg	553	1,628	23	22	2,226
Bavaria	633	1,656	24	22	2,335
Berlin	471	1,213	9	8	1,701
Brandenburg	37	104	2	2	145
Bremen	58	93	4	5	160
Hamburg	188	348	1	16	553
Hesse	353	739	13	18	1,123
Lower Saxony	180	506	4	11	701
Mecklenburg-Western Pomerania	36	61	1	-	98
North Rhine-Westphalia	555	1,495	34	61	2,145
Rhineland-Palatinate	93	242	1	27	363
Saarland	11	35	-	2	48
Saxony	146	214	7	-	367
Saxony-Anhalt	53	67	3	3	126
Schleswig-Holstein	44	91	2	7	144
Thuringia	73	103	-	-	176
Total	3,484	8,595	128	204	12,411

Source: AZR as of 31/03/2021

AUTHOR

Johannes Graf is a research associate at the Research Centre Migration, Integration and Asylum at the Federal Office for Migration and Refugees (Division FIII - Migration and Integration: Monitoring and Series of Reports).

Contact:
johannes.graf@bamf.bund.de

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